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ABSTRACT

This Equity Plan is designed to meet three major objectives for the Pennsylvania State System of Higher Education. It is meant to serve as the policy reference for systemwide equity and diversity efforts for the remainder of the 1990s and to be the procedural and policy blueprint for the efforts of the individual universities in the system. The plan articulates Pennsylvania's vision for the future with relation to equity. The concept of community is the basis of all elements of the Equity Plan, which challenges everyone at a university to be involved in the creation of a welcoming climate in which all students, staff, and faculty flourish. The plan's major subject areas are: (1) students; (2) personnel; and (3) economic opportunities. Each of these areas is addressed from the perspective of the present status of the system, the system's goals, and recommendations regarding strategies and resources for goal attainment. The personnel section also addresses the issue of gender equity. Provisions are made to establish equity for persons with disabilities and veterans. The Equity Plan is comprehensive in scope but is not all-inclusive. It is designed to minimize the requirements and maximize the challenge and opportunity for each university to contribute to the achievement of community within the statewide higher education system. Fourteen appendixes contain information on specific policy areas related to equity, including affirmative action policies. (Contains 9 tables and 52 endnotes.) (SLD)

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Excellence and Equity

A Plan for Building

Community

in Pennsylvania's

State System

of Higher

Education

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Excellence and Equity

A Plan for Building

Community

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of Higher

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Foreword

Dear Colleagues:

In October of 1990, the State System of Higher Education produced the award-winning document, *Priorities for Pennsylvania's State System of Higher Education during the 1990s*. This was followed in August of 1991 by the issuance of *Emphasis on Values*. With much pride, I am pleased to forward the third piece of this mosaic, *Excellence and Equity – a Plan for Building Community in Pennsylvania's State System of Higher Education*. Unanimously approved by the Board of Governors on July 21, 1994, and representing more than a year's work, *Excellence and Equity* is the System-wide equity plan for the remainder of this decade.

The advent of this plan is a significant milestone in the history of the State System. In accordance with the tenets of the Equity Plan, no longer are we content to limit our consideration of equity and diversity to quantitative measures and demographics. Rather, this document maps out an organizational change strategy which affects the entire State System. It challenges everyone to become personally involved in enriching our System through support of enhanced diversity and pluralism.

The Equity Plan outlines the challenges and presents guidelines by which the System can effectively address the vital issues of excellence and equity. No task is more consistent with our mission, more central to our future, nor more contributive to the best interests of the State System, the Commonwealth, and the nation.

Special recognition and thanks are extended to those who gave so generously of their time and talent to produce this important document. I now ask the entire State System family to join in the pursuit of the mutually beneficial goal of community.

James H. McCormick
Chancellor

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The State System of Higher Education is committed to a policy of affirmative action. The State System assures equal opportunity to all persons without regard to race, color, religion, creed, disability, ancestry, national origin, age, or sex in accordance with state and federal laws, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. *Inquiries about this policy may be directed to the Social Equity Director, Office of the Chancellor.*

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Executive Summary

Purpose and Overview

The Equity Plan, the successor policy document to the *Affirmative Action and Equal Opportunity Plan: a Prospectus*, is designed to meet three major objectives: 1) to serve as the policy reference for System-wide equity and diversity efforts for the remainder of the decade; 2) to serve as the policy and procedural blueprint for efforts of the System's individual universities; and 3) to clearly articulate the State System's vision for the future and its moral and legal voluntary commitment to making that vision a reality.

The Equity Plan relates directly to the *Prospectus*, which provides essential information regarding the System's equity goals and procedures to date; to *Priorities for Pennsylvania's State System of Higher Education during the 1990s*, which provides the philosophical foundation on which the goals of the Equity Plan have been developed; and to *Emphasis on Values*, which reaffirms the centrality and criticality of equity as a fundamental element of academic excellence.

The establishment of community overlays all elements of the Equity Plan. This dynamic concept defines environments in which difference is not merely tolerated but celebrated, and which are characterized by common goals and values and mutual respect and responsibility. Through community, the System universities will advance from the ideal of diversity to the ideal of pluralism, attaining the interdependent goals of equity and excellence. Thus, the quantitative and qualitative measures of achievement take on added meaning and relationship. The Equity Plan challenges everyone at a university to be actively involved in the creation of a welcoming, nurturing climate in which students, staff, and faculty develop and flourish personally and professionally. This will promote understanding, tolerance, respect for others, and, ultimately, community; it also will better prepare System graduates to be productive, contributing members of an increasingly diverse society and workforce.

The plan's major subject areas are: 1) students, 2) personnel, and 3)economic opportunities. Each is addressed from the perspective of the present status of the System, the goals of the System, and recommendations regarding strategies and resources for goal attainment. The personnel section also addresses the important issue of gender equity.

The establishment of community overlays all elements of the Equity Plan.

Students

The key, inter-related aspects of the plan's student section are access, retention, and graduation. The plan recognizes the need for enhanced access for Black and Latino students. Equally important is the quality of the curricular and extra-curricular life of all students without limitation or reservation due to age, race, sex, ethnicity, socio-economic background or status, religion, physical condition, or affectional orientation. System-wide goals and university minimum performance standards for the enrollment of Black and Latino students have been calculated, based on Commonwealth demographics and projected high school graduation rates, and on university performance during the term of the *Prospectus*.

The Equity Plan also provides suggested strategies and lists of "promising practices" for recruitment, retention, and graduation of racial/ethnic minorities. Campus climate probably is the primary factor which determines the quality of the students' academic experience and defines what type of relationship the student will retain with the university as an alumnus.

Personnel

All members of the university, regardless of their employment category or pay grade, are contributing components of the university enterprise. Therefore, the contribution of all members of the university family is important to the achievement of community.

The Equity Plan presents guidelines for establishing and evaluating hiring goals, and mandates that each university has an affirmative action plan to define goals and monitor quantitative progress. The Equity Plan also addresses the principal issues of System policy and objectives related to gender equity, persons with disabilities, and veterans.

Recognizing its responsibility to address the specific needs of women and to bring them fully into the life and operation of the universities, the State System reaffirms the commitment, initially made in the *Prospectus*, to adoption of the guidelines developed by the American Council on Education (ACE) Commission on Women in Higher Education. Additionally, it declares its total opposition to the pernicious and destructive practice of sexual harassment, and mandates that every System university develop and implement a written, comprehensive sexual harassment policy. The Equity Plan provides additional information and guidelines in support of this requirement.

Persons with Disabilities and Veterans

Persons with physical disabilities as well as those with learning disabilities fall within protections accorded by the Americans with Disabilities Act (ADA). Moreover, the implications and applications of ADA are not limited to students, but include faculty, staff, administrators, and, in some instances, the public.

The Equity Plan addresses the minimum ADA requirements for each System university and also provides a list of external resources from whom additional assistance and/or information can be obtained, and a list of promising practices as guidelines for interacting with persons with disabilities.

The Veterans' Preference Law applies to System universities in the conduct of all instructional and non-instructional faculty, administration, and management positions that are filled by means of search-and-screen procedures. It should be used as a tie-breaker in cases where a veteran and a non-veteran are equally qualified for a position.

All universities engaged in federal contracting also must comply with the Vietnam Era Veterans' Act. This act requires, in part, that "the party contracting with the United States shall take affirmative action to employ and advance in employment qualified special disabled veterans and veterans of the Vietnam era."

Economic Opportunities

Although the provision of quality, affordable education to the citizens of the Commonwealth is the State System's primary mission, the actual influence of the System extends well beyond the geographic boundaries of the universities. Moreover, as publicly owned institutions, the System universities probably are the most widely monitored of Pennsylvania's many higher education operations. One way the System demonstrates that it practices the equal opportunity that its policies declare is by ensuring that economic opportunities within the universities are extended to minority and women business enterprises.

In the absence of national or statewide comparison figures for economic opportunity activities, the Equity Plan presents a summary of the System's recent scope of participation with minority- and women-owned business enterprises (MBE/WBEs) and offers recommendations for increasing that participation.

Requirements

In pursuit of community through diversity, each System university will:

- Design and implement an affirmative action plan which will be updated annually;
- Design and implement a university equity plan which, as a minimum, will address the university's plans and goals in the areas of students, personnel, and economic opportunities;
- Submit no later than February 1 of each year a report of equity performance during the preceding academic year;
- Participate in a bi-annual symposium on effective programs and practices; and
- Receive a detailed review of its equity program.

Responsibilities

The responsibilities addressed in the Equity Plan are voluntary responsibilities which all members of the university family are urged to accept, since all will benefit from the type of organizational change which lies at the heart of the plan.

Such change will not occur instantaneously but, if sustained, the objective of moving the System to a position of pre-eminence in addressing this most challenging issue can be achieved. Review and analysis of other states confirms that the colleges and universities most successful in addressing diversity passed through three stages of change.

The first stage is removal of barriers to participation. The second stage consists of the colleges and universities helping students to achieve. And the final stage is changing the learning environment through assessment, learning assistance, improved teaching strategies, and curricular reform.

Presidential leadership is paramount to achieving the Equity Plan goals. However, faculty, student life administrators, staffs, students, and the Office of the Chancellor also must be actively involved. The Equity Plan presents lists of recommendations for each of these constituencies.

Conclusions

The Equity Plan is comprehensive in scope but its content is not all-inclusive. The plan minimizes requirements and maximizes the challenge and opportunity for each university to contribute to the State System's achievement of community. The ultimate success or failure of this effort is not so much a question of new resources as a question of dedication and application of existing resources and commitment to a principle. Within the treasured university tradition of freedom of intellectual inquiry and rational discourse, there is room for difference of opinion about how the goal will be accomplished without denying the goal's legitimacy nor the System's commitment to making it a reality.

The complexion, complexity, and composition of the world society already has undergone dramatic change. Diversity is a reality. The issue is how and with what style and quality the State System of Higher Education will adjust its operations to effectively and efficiently accommodate diversity.

Excellence is what the System proclaims, diversity is what we face, and community is what we seek. The Equity Plan recognizes that, as a university executive has stated, "Community with diversity is an act of creation rather than an act of tradition."

The Equity Plan minimizes requirements and maximizes the challenge and opportunity for each university to contribute to the System's achievement of community.

Purpose

This document, the Equity Plan, is designed to serve for the remainder of this decade as the baseline policy and procedural blueprint for the State System of Higher Education collectively, as well as for the 14 System universities individually, in the System's continued effort to build vital, pluralistic communities. Moreover, it is a declaration of the State System's vision for the future and of its legal and moral voluntary commitment to make that vision a reality. The scope of the plan is comprehensive. Some may find it provocative or unsettling. However, the concepts and recommendations presented offer both the challenge and opportunity to elevate the State System to a position of pre-eminence in meeting one of the most demanding challenges faced not just by higher education, but by society. Moreover, the concepts and recommendations are confirmed by extensive data and research from a variety of scholars of national and international reputation.

The establishment of community is the goal which undergirds both the philosophy and vision of the Equity Plan. Community is a challenging, complex, and powerful concept which includes common values, practices, and goals, a sense of belonging, mutual caring, and responsibility. The Equity Plan has been designed within the parameters which researchers Irving Spitzberg, Jr. and Virginia Thorndike posit are the core principles for a pluralistic campus and "constitute the common ground that all academic institutions share in a democratic society:

- the centrality of learning;
- the priority of freedom of thought and expression;
- the priority of justice; and
- the importance of differences."

As defined above, it is clear that "community" is the State System's goal rather than its status, what it is committed to striving for rather than what it already has achieved. Valuing diversity is an essential step in establishing community.

In recent years the term "diversity" has acquired many meanings. Central to all of these meanings, however, are three defining aspects of a diverse university. These are "1) members of groups previously excluded from full...participation in higher education are present on campus as full participants; 2) the campus itself provides a supportive community environment that values such participation...; and 3) the institution recognizes the value of the groups which students and faculty identify as sources of important intellectual perspectives and personal support, and as avenues of participation in universal human concerns."

Accordingly, the recommendations and the quantitative and qualitative goals established here are designed to enhance the creation of environments

"Community" is the State System's goal rather than its status, what it is committed to striving for rather than what it already has achieved.

which are pluralistic, as opposed to being merely diverse; and which seek to achieve the inclusion of differences rather than only the presence of differences. This distinction is articulated in a 1986 Brown University report which states, in part,

> The ideal of pluralism...is one that can only be realized when a spirit of civility and mutual respect abounds, when all groups feel equally well placed and secure within the community because all participate in that spirit. By contrast to the ideal of diversity, which gives primary regard to the mere presence of multiple ethnic and racial groups within the community, pluralism asks of the members of all groups to explore, understand, and try to appreciate one another's cultural experiences and heritage. It asks a leap of imagination as well as a growth of knowledge. It asks for a most difficult outcome: cultural self-transcendence.

The Equity Plan's objective is to weave the concept of pluralism into the fabric of the operation and administration of the State System. The goal is as critical as it is challenging.

Increasingly, educational institutions have introduced multicultural education in an effort to promote understanding, tolerance, and respect for others. Multiculturalism can mean different things to different people, but it refers most often to the creation of scholarship and the redesigning of curriculum to permit the infusion of diverse perspectives. In response to a 1991 survey, 226 college and university leaders saw multiculturalism as the central feature of their general education programs for the foreseeable future, and identified the growing press of global affairs and the influence of cultural diversity as the issues that will influence curriculum change at their respective institutions during the 1990s.[4] Moreover, accomplishment of this goal is directly and fundamentally related to the mission and strategic direction statements of the State System of Higher Education. Formally adopted by the Board of Governors in 1984, these statements stipulate, in part, that the System universities "...shall maintain and strengthen their historic commitment to the broad general education of the citizenry,...develop and maintain a plan which serves to extend educational opportunity to those not previously served,...and intensify efforts to attract, serve, and retain minority students...."

These clear statements of mission and purpose notwithstanding, the literature is replete with documentation of the complexity and the priority of effectively addressing diversity and pluralism. For example,

> It is...unrealistic to assume that higher education can on its own achieve pluralistic communities that do not reflect the problems of the larger society or that higher education can, independent of other institutions, solve all the challenges of diver-

Accomplishment of this goal is directly and fundamentally related to the mission and strategic direction statements of the State System of Higher Education.

> sity. But just as the issues of a culturally pluralistic society must be high on the national agenda, so too must they be high on the agendas of colleges and universities across the country. Not only will the successful involvement of diverse populations tip the balance between institutional survival and failure and between educational quality and mediocrity, but, more significantly, the social implications spread far beyond the academy."

This premise is seconded from within as well as outside the academy, as evidenced in the 1993 report of a working group sponsored by four leading private foundations. In his preface to the report, the group's chairman, former Secretary of Labor William E. Brock, states,

> ...an increasingly diverse society battered (and that is not too strong a term) by accelerating change, requires more than workplace competence. It also requires that we do a better job of passing on to the next generation a sense of the value of diversity and the critical importance of honesty, decency, integrity, compassion, and personal responsibility in a democratic society. Above all, we must get across the idea that the individual flourishes best in a genuine community to which the individual in turn has an obligation to contribute."

As the title of this plan indicates, equity and excellence are inseparable twin mandates for the State System and, in the opinion of Ernest Boyer, remain the urgent unfinished agenda for higher education. "Our colleges and universities must maintain and strengthen academic quality if our intellectual resources are to prove equal to the challenge of contemporary society. At the same time, the nation's campuses must act energetically and even aggressively to open new channels to equality of educational opportunity."[1] The weight of empirical evidence in recent research by Alexander Astin confirms that "the actual effects on student development of emphasizing diversity and of student participation in diversity activities are overwhelmingly positive and that...there are many developmental benefits that accrue to students when institutions encourage an emphasis on multiculturalism and diversity."[2]

As the System marked its tenth anniversary, and the expiration date of the System's previous policy document – the *Affirmative Action and Equal Opportunity Plan: a Prospectus* – has arrived, it is an appropriate time to assess the equity progress and redefine the System's goals and aspirations. Resources from the Office of the Chancellor and each of the System universities have devoted many months to critical review and analysis of what has been accomplished and not accomplished, to the state of the nation and the Commonwealth, to an extensive review of the literature, and to the System's goals and aspirations for the future. The results of this concerted effort are reflected in this plan.

Background

Since its unanimous adoption by the Board of Governors on April 19, 1988, the *Prospectus* has served as a clear and effective guide for the equity efforts of the State System of Higher Education universities. Though all of the *Prospectus*' goals have not been achieved, an impressive scope and variety of projects and programs have evolved and advanced educational equity and diversity within the State System.

Nowhere else is the vision for the future of the System more clearly articulated than in the report of the State System of Higher Education 1989-90 Planning Commission, *Priorities for Pennsylvania's State System of Higher Education during the 1990s*. Just as the *Prospectus* provides essential information from both a retrospective and a prospective view of the System's equity goals and procedures, so too does *Priorities* serve as the philosophical foundation on which the goals, objectives, and recommendations of the Equity Plan have been developed.

This plan also is directly related to *Emphasis on Values*, the August 1991 report of the State System of Higher Education's Task Force on Values Education. Equity is a critical value and such an essential, fundamental element of academic excellence that the ultimate success of the System's Equity Plan will be directly proportional to the level at which equity is established and maintained as a shared value among all components of the State System.

The plan's recommendations, goals, and objectives have been carefully designed to reflect the plan's concurrence with the vision of *Priorities* that diversity within the student body "...is crucial to enriching the educational experience of all students to live and work in a pluralistic society."[9] This plan updates the goals, objectives, and strategies detailed in the *Prospectus*, and responds to the challenge of Emphasis on Values to "find ways to place discussions of current issues concerning multiculturalism and diversity in the larger perspectives of both the past and future of our country, recognizing the injustices of the past while formulating a vision of the future...."[10]

Within academia, and most other segments of society, such a wide range of opinion has developed about equity and diversity that debate on these issues occasionally is highly charged and strident to the point of being divisive. Emotions frequently are further aggravated by persons of dramatically different perspectives using common terms for which no common definition has been established or accepted. And, over time, the number of such terms has increased.

Equity is a critical value and an essential, fundamental element of academic excellence.

The issue is far too important to allow constructive dialogue to be compromised by the inability or unwillingness to establish common ground even about the basic terminology.

However, as Vice President Frank Wong of the University of the Redlands has written, too much of the discussion about multiculturalism already "has been dominated by two groups: those...who believe that tradition is unremittingly hostile to multicultural inclusion and therefore needs to be undermined, and those...who believe that the fortress of Western civilization can only be defended by denying entry to any new thinking...."[1] Clearly, the issue is far too important to allow constructive dialogue to be compromised by the inability or unwillingness to establish common ground even about the basic terminology. Accordingly, the following definitions are offered for some of the terms used throughout the Equity Plan. Other definitions are listed in Appendix A.

Equity: A descriptive term denoting the intended absence of any artificial barriers or limitations such as race, ethnicity, sex, religion, disability, affectional orientation, age, socio-economic status, or organizational affiliation. The term applies herein to all aspects of the academic enterprise, including student access, retention, and graduation; instructional and non-instructional personnel hiring, development, and promotion; the quality of on-campus curricular and extracurricular life; and access to economic opportunities offered within the State System.

The State of California's Higher Education Equity Act of 1988 defines "educational equity" as "the development and maintenance of institutional policies, programs, practices, attitudes, and expectations, that are conducive to, and serve to encourage, the achievement of appropriate educational goals by all students at the institution, in particular women and students from minority groups traditionally underrepresented in higher education."

The historical perspective relates more to the absence of equity than to its presence. As used in this plan, equity is a goal which must be deliberately sought, rather than a reality which spontaneously occurs.

Diversity: Denotes the presence of a wide range and variety of people in terms of age, race, ethnicity, socio-economic background or status, religion, physical condition, and affectional orientation.

Pluralism: A state or condition of society in which members of diverse ethnic, racial, religious, or social groups maintain a shared participation in and development of their traditional culture or special interest within the framework of a common community.

Multiculturalism: A dramatically multidimensional construct involving both philosophical and curricular issues, and which includes "...the study of topics as disparate as the life of various ethnic groups, racial diversity, gender differences, international issues, non-Western cultures, (and) cross-cultural methodologies...."[1]

Organization

The major subject divisions of this plan are 1) students, 2) personnel, and 3) economic opportunities. Within each of these categories the Equity Plan addresses the present state of the System and its qualitative and quantitative goals, presents specific recommendations, and identifies successful strategies, potential resources, and related areas of responsibility. None of the major subject areas can exist independent of the others. Although they are addressed as separate entities, the goals and resources within the respective areas overlap and are interdependent.

As used in this plan, equity is a goal which must be deliberately sought, rather than a reality which spontaneously occurs.

Nothing is more central to the heart, vitality, and image of a university than its students.

Students

Overview

Nothing is more central to the heart, vitality, and image of a university than its students, both the traditional students as well as the rapidly increasing number of older non-traditional students. Donald Kennedy, president emeritus of Stanford University, contends that society wants higher education "to be the agents for generational improvement – custodians for the process by which we continuously reinvent our social order...," and that to do so "we simply have to put our young people first, at all times and in all ways."[14] Although this section focuses primarily on racial/ethnic minorities or other historically under-served/unserved constituencies, the Equity Plan is designed to positively influence the quality of life and the effectiveness of the learning process for all students.

Meaningful analysis demands that the issue of students be addressed quantitatively and qualitatively, in terms of curricular and co-curricular activities, and from the perspective of academic standards *per se* as well as from the perspective of the process of imposing standards. Additionally, the status and quality of student-faculty relationships affect nearly every aspect of student life and performance.

Review of some of the education aspects of the national and statewide status of Blacks, Latinos, and other racial or ethnic minorities contributed to the general parameters for this analysis. Between 1980 and 1990, college enrollments increased nationwide for all race/ethnic groups. Latinos had the highest increase, 60.6 percent. The increase for Blacks was 10.5 percent and for Whites 8.6 percent.[15] In 1991 racial/ethnic minorities collectively constituted 21.7 percent of the undergraduate population, with Blacks comprising 9.9 percent and Latinos 6.5 percent.[15]

Based on its most recent *Current Population Survey*, the Census Bureau reports that Blacks were only half as likely as Whites to have earned a baccalaureate degree by age 25 to 29, a rate that has remained unchanged since the mid-1970s.[16] This fact is significant because, while the number of White males in higher education has remained fairly constant for the past two decades, the number of women and non-Whites has increased. However, as K. Edward Renner of Canada's Carleton University points out, and as a 1993 report by the National Center for Educational Statistics confirms, when the enrollment increases are analyzed more closely, this enrollment "growth" is seen to be more illusory than real.[17] The gain in White students is attributable to increased

participation and increased numbers of older students, the largest proportion of whom are females; whereas the increase in the number of people of color reflects the demographics of supply.[18]

Attainment of a baccalaureate degree involves graduation from high school, college enrollment, and college completion. The Higher Education Equity Index (HEEI) permits comparative analysis of various groups across these essential elements, and also provides a quantitative measurement of each group's relative access to higher education. In 1992, according to the HEEI, nationwide, African Americans were 45 percent as likely as Whites to have earned a baccalaureate degree by age 25 to 29, and Latinos were 38 percent as likely to have done so. In Pennsylvania, the 1990 HEEI was 55.6 percent for African Americans and 59.8 percent for Latinos. A more detailed discussion of the HEEI can be found in Appendix B.

In comparing the educational status, issues, and goals for equity groups within the Commonwealth with that of the same groups within the total society, it is important to keep the following demographic factors in mind:

- Unlike many other sections of the nation, the total population of Pennsylvania remained relatively stable between 1980 and 1990, and is forecast to grow by only about 42,000 between 1990 and 2000.
- Between 1980 and 1990 the Commonwealth's White population decreased 1.2 percent and its non-White population increased 12.4 percent.

Table I

Pennsylvania Latino and Black Populations by Primary Location, 1990

County	Number of Latinos	Number of Blacks
Philadelphia	89,193	631,936
Berks	17,174	10,003
Allegheny	8,731	149,550
Bucks	8,895	15,313
Chester	8,565	23,995
Montgomery	8,357	26,930
Dauphin	6,024	35,609
Delaware	5,998	60,688
York	5,165	10,558
Erie	3,364	14,008
Lancaster	15,639	N/A
Lehigh	15,001	N/A
Northampton	11,591	N/A
Beaver	N/A	10,475

- Although Asians are the fastest growing ethnic group in the Commonwealth, Latinos and Blacks are the most populous racial/ethnic minorities, respectively constituting 2.0 percent and 9.7 percent of the population.
- The Bureau of the Census predicts that, by the year 2010, Pennsylvania's Latino population will have increased by 38 percent, its Black population by 23 percent, and its White population by 8 percent.
- Racial/ethnic minorities are significantly fewer in number in Pennsylvania than in contiguous states and are concentrated in core cities. Table I lists the Commonwealth's areas of highest concentration of Latinos and Blacks.
- 58 percent of all Blacks in Pennsylvania, 38 percent of all Latinos, 32 percent of all Asians, 23 percent of all American Indians, and 8 percent of all Whites are residents of Philadelphia. [9]

Enrollment Goals

Although the individual university goals which the *Prospectus* directed for Black and Latino enrollment were not met, System-wide Black enrollment of 7.7 percent and Latino enrollment of 1.1 percent were achieved against the goals of 5.4 percent and 0.8 percent respectively. In designing the new enrollment goals, careful consideration has been given to the individual and collective performance of the System universities over the five-year lifespan of the *Prospectus*, the regional factors which influenced that performance, and the effects of the Commonwealth's demographics. The Equity Plan also seeks to address the issue of enrollment in terms of short-range and long-range goals, as well as from the broader perspective of new first-time resident freshman enrollments, transfer enrollments, and enhanced retention.

The recruitment of first-time resident freshmen, from the eligible traditional and non-traditional pools, remains the primary element of the new enrollment goals and the one most directly connected to the System's access mission. The recruitment goals of the *Prospectus* were designed to achieve parity between Black, Latino, and White enrollments. That is, the proportion of Black and Latino high school graduates enrolled in the 13 traditionally White institutions of the State System was to equal the proportion of White high school graduates enrolled at System universities. In the *Prospectus*, parity was defined as parity within each university's respective service area. Parity is retained as a central concept of the Equity Plan. However, the term is modified to mean parity on a statewide basis for the System rather than parity within a given service area for each university.

Table II shows the number of Black, Latino, and White high school graduates in the Commonwealth each year from 1989–1993, and the number and percentage of first-time freshmen from each of these race/ethnic groups who enrolled in System universities. For the Equity Plan calculations, all first-time enrollments for a given constituency in a given year are treated as if they are from the corresponding year's high school graduates. Based on the data in this table, attainment of parity as now defined in the Equity Plan would have required that the State System enroll 135 more Black students and 75 more Latino students in 1992 and 246 more Blacks and 92 more Latinos in 1993.

As presented in Table II, the State System of Higher Education for the preceding five years, on average, annually enrolled nine percent, seven percent, and eleven percent respectively of the Commonwealth's Black, Latino, and White high school graduates. These percentages will constitute

Table II

Black (B), Latino (L), and White (W) Pennsylvania High School Graduates and the Number and Percent of New Freshmen at System Universities, 1989–1993

	Graduates			State System Freshmen (#)			State System Freshmen (%)		
	B	L	W	B	L	W	B	L	W
1989	11,706	1,534	123,928	993	88	13,419	8.5	5.7	10.8
1990	10,907	1,719	114,740	981	104	12,367	9.0	6.1	10.8
1991	10,610	1,772	108,449	995	144	12,352	9.4	8.1	11.4
1992	10,384	1,887	106,394	1,063	142	12,236	10.2	7.5	11.5
1993	10,710	1,950	105,934	1,021	139	12,511	9.5	7.1	11.8

the System-wide minimum enrollments for Black and Latino resident first-time freshmen during the remainder of this decade. The System's goal will be achievement of statewide parity. This will necessitate increases from the System's previous levels of Black and Latino enrollment of approximately two and four percent respectively.

A valid case can be made that all race/ethnic groups do not participate in higher education at the same rate. By modifying the definition of parity and applying this definition to the new goals for the State System, the Equity Plan reflects not only the System's responsibility to aggressively recruit the college-eligible component of each high school graduating class, but also the System's longer term responsibility as a part of the education community to help increase the size of the college-eligible pool through enhanced preparation, qualification, and access for equity group students. This responsibility is consonant with the conclusion of the System's 1989-90 Planning Commission that, "To ensure a competent workforce and to prevent serious economic and social problems, Pennsylvania must increase participation in postsecondary education by its youth, reclaim people who failed to prepare for work or college during their teens, and greatly increase the overall educational attainment of its citizens...." and the subsequent recommendation that the State System "explore and initiate new approaches, while expanding proven programs, for preparing disadvantaged students for college...."[20]

In translating System-wide goals to individual university goals, the Equity Plan prescribes as a fundamental premise that each System university should sustain, **as a minimum**, the level of Black and Latino enrollment which it achieved during the lifespan of the *Prospectus*. Table III lists the annual percentage of Black first-time resident freshman enrollment by university from fall 1989 to fall 1993. The figure in the last column is an average obtained by eliminating each university's highest and lowest enrollment figure and computing the average for the remaining three years. Table IV is a similar computation for Latino enrollments.

Table III

Black Resident First-Time Freshman Enrollment Expressed as a Percentage of the Total Resident First-Time Freshman Enrollment, 1989–1993

	1989	1990	1991	1992	1993	Average
Bloomsburg	5.0	4.4	4.6	6.5	5.9	5.3
California	4.2	4.8	5.8	4.6	3.3	4.5
Cheyney	96.4	99.5	95.1	98.2	97.5	97.3
Clarion	1.9	2.5	2.9	3.4	2.6	2.7
E. Stroudsburg	4.2	4.7	3.4	2.5	4.0	3.8
Edinboro	4.1	3.5	5.6	5.3	4.8	4.6
Indiana	8.7	7.9	7.2	6.9	6.4	7.4
Kutztown	7.6	5.0	6.3	6.2	3.6	5.8
Lock Haven	2.5	3.3	3.4	2.0	1.2	2.5
Mansfield	3.5	5.5	5.9	6.1	5.5	5.3
Millersville	9.1	12.0	9.4	10.5	12.4	10.7
Shippensburg	2.6	3.4	4.5	3.2	3.9	3.5
Slippery Rock	4.5	5.3	4.7	5.9	6.1	5.3
West Chester	11.6	10.6	11.4	11.3	13.8	11.7

These average percentages constitute the annual Black and Latino resident first-time freshman enrollment "floors" for each of the State System universities except Cheyney University of Pennsylvania during the remainder of this decade.

Cheyney University faces a critical need to expand its total enrollment. This is reflected in the university's strategic plan and the recommendations of the Commission on the Continued Vitality of Cheyney University of Pennsylvania. Moreover, a larger proportion of Black students will tend to be more attracted to Cheyney University as a historically Black institution than to the other System universities. Although Cheyney University's resident Black enrollment has averaged more than 97 percent of its total resident enrollment over the past five years, to provide greater flexibility for the university's effort to expand its total

Table IV

Latino Resident First-Time Freshman Enrollment Expressed as a Percentage of the Total First-Time Freshman Enrollment, 1989–1993

	1989	1990	1991	1992	1993	Average
Bloomsburg	0.5	0.7	1.3	1.4	1.9	1.2
California	0.2	0.2	0.3	0.2	0.5	0.3
Cheyney	2.4	0.0	1.6	0.7	0.4	1.0
Clarion	0.4	0.2	0.4	0.3	0.2	0.3
E. Stroudsburg	1.4	1.8	5.4	2.5	1.9	2.2
Edinboro	0.4	0.2	0.7	0.6	0.3	0.4
Indiana	0.6	0.6	0.6	0.8	0.2	0.5
Kutztown	1.5	2.0	2.1	3.0	1.7	2.1
Lock Haven	0.3	0.3	0.3	0.3	0.9	0.4
Mansfield	0.2	0.3	0.3	1.3	1.0	0.6
Millersville	1.1	1.5	2.0	2.3	3.0	2.0
Shippensburg	0.5	1.3	0.7	0.5	1.5	0.9
Slippery Rock	0.3	0.3	0.3	0.4	0.7	0.4
West Chester	0.6	1.3	2.2	1.4	1.2	1.3

enrollment and its increased enrollment of non-Black students, the Equity Plan establishes the interim "floor" enrollment for Black resident first-time freshmen at 90 percent. This enrollment level will apply, pending the availability of more data about the university's actual enrollment performance.

The vision of neither *Priorities* nor the Equity Plan lends itself to attainment through minimums. All elements of the State System should conduct their respective analyses and design their plans on how to meet the actual goals rather than merely maintaining the minimum standards.

The State System has a responsibility to aggressively recruit the college-eligible component of each high school graduating class and, also, to help increase the size of the college eligible pool.

Table V

University Proportion of State System's Total Black Resident First-Time Freshman Enrollment, 1989–1993 (%)

	1989	1990	1991	1992	1993	Average
Bloomsburg	5.0	4.4	4.4	5.6	5.2	4.9
California	5.6	4.8	6.0	4.0	2.8	4.7
Cheyney	16.1	20.3	17.5	25.4	22.5	20.1
Clarion	2.5	2.9	3.1	3.6	2.9	3.0
E. Stroudsburg	2.1	2.5	1.8	1.2	2.7	1.9
Edinboro	5.8	4.8	6.6	6.3	5.6	5.9
Indiana	21.0	18.6	17.4	15.2	14.0	17.1
Kutztown	8.5	4.9	7.5	6.1	2.7	6.2
Lock Haven	1.5	2.2	2.1	1.5	0.8	1.7
Mansfield	1.5	2.2	2.2	2.2	2.8	2.2
Millersville	10.2	11.9	9.5	8.8	10.5	10.0
Shippensburg	2.7	3.5	4.5	3.2	3.9	3.5
Slippery Rock	5.3	5.9	4.8	5.5	6.7	5.6
West Chester	12.1	11.2	12.5	11.5	15.3	12.0

Tables V and VI reflect each university's proportion of the System's Black and Latino enrollment. The figure shown for each university's average enrollment was calculated the same as Tables III and IV. For example, on average during 1989–1993, 7.3 percent of the State System's total resident first-time freshman enrollment was Black. Table V shows that Cheyney University of Pennsylvania accounted for 20.1 percent of the System's overall Black enrollment during this period, and Indiana University of Pennsylvania accounted for 17.1 percent. The System's average Latino enrollment for this same period was 0.1 percent and, as shown in Table VI, Kutztown University of Pennsylvania accounted for 18.3 percent of the System's total.

The Commonwealth does not track high school completion rates by race/ethnic group and cohort, and private and non-public high schools are not required to report their enrollment demographics.

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Table VI

University Proportion of State System's Total
Latino Resident First-Time Freshman Enrollment, 1989–1993
(%)

	1989	1990	1991	1992	1993	Average
Bloomsburg	5.7	6.7	8.5	9.1	12.2	8.1
California	2.3	1.9	2.1	1.4	2.9	2.1
Cheyney	4.6	0.0	2.1	1.4	0.7	1.4
Clarion	5.7	1.9	2.8	2.1	1.4	2.3
E. Stroudsburg	8.0	8.7	12.5	9.2	9.4	9.1
Edinboro	6.8	2.9	5.6	4.9	2.9	4.5
Indiana	14.8	13.5	9.7	13.4	3.6	12.2
Kutztown	19.3	18.3	17.4	21.8	14.4	18.3
Lock Haven	2.3	1.9	1.4	1.4	4.3	1.9
Mansfield	1.1	1.0	0.7	3.5	3.6	1.9
Millersville	13.6	14.4	13.9	14.8	18.7	14.4
Shippensburg	5.7	12.5	4.9	3.5	10.8	7.1
Slippery Rock	2.9	2.9	2.8	2.8	5.8	3.0
West Chester	6.8	13.5	16.7	10.6	9.4	11.1

However, applying the Commonwealth's present high school racial composition – which has remained stable during the past decade – to the projections for the total high school graduates in Pennsylvania, projections of the annual number of Black and Latino high school graduates have been computed to the year 2001. Based on these estimates, and using 11 percent as the estimated proportion that would equate to statewide parity, projected annual System-wide enrollment goals have been computed for Black and Latino resident first-time freshmen and are displayed in Table VII.

The steadily increasing totals shown in Table VII reflect reversal of the declining numbers of high school students the Commonwealth has experienced since 1983. It is estimated that the 25 percent decrease in the number of Pennsylvania high school graduates since 1983 should be fully restored by about 2002.[7]

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Table VII

Projected Number of High School Graduates and Estimated State System Goals for Black and Latino First-Time Freshmen, 1995–2001

Year	Total Graduates	Black Graduates	Freshman Goal	Latino Graduate	Freshman Goal
1995	143,584	12,861	1,327	1,867	205
1996	148,309	12,458	1,370	1,928	212
1997	150,812	12,668	1,394	1,961	216
1998	151,446	12,721	1,399	1,969	217
1999	154,913	13,013	1,431	2,014	222
2000	158,594	13,322	1,465	2,062	227
2001	160,601	13,490	1,484	2,088	230

Using the figures in Table VII for planning purposes, each System university as a mandatory part of its annual equity report will calculate and submit to the Office of the Chancellor its recruitment plan and goals for the enrollment of new resident first-time freshman Black and Latino students in the succeeding year. As more data becomes available, and as the initiatives to improve high school completion and postsecondary eligibility rates progress, the projections for the number of high school graduates and the System enrollment goals may be revised.

As the System universities devise their enrollment goals and strategies, it is essential that the following factors remain a part of their deliberations and activities:

- As publicly owned institutions, the goals of the System universities always will be subject to close scrutiny from within and outside the higher education community.
- Recruitment strategies should target students from a broad cross-section of qualification levels, including the most academically talented and prepared. The effective accommodation of such a range of students will require certain modifications of the educational process.
- Simultaneously with their short-term efforts to recruit from the current pool of equity candidates, System universities should be involved in longer-term efforts to expand and enhance the pre-college preparation of lesser qualified students.
- A direct correlation exists between the System's recruitment efforts and the special relationship and responsibility of System universities as a major producer of the Commonwealth's teachers.

Although resident first-time freshmen constitute the primary target of each university's recruitment activities, the following factors also will be reviewed

and included in the evaluation of a university's overall enrollment performance:

- Degree of success in recruiting or facilitating Black and Latino transfer and non-traditional students, particularly transfers from community colleges. (In 1991-1992, 27 percent of the Commonwealth's college-bound Black high school graduates and 36 percent of college-bound Latino high school graduates reportedly enrolled in community colleges. This emphasizes the priority which articulation agreements should receive.);
- Innovativeness of recruitment strategies; and
- Student retention.

Student Retention

The complex issue of student retention is a principal component of the access-retention-graduation mosaic, and few other issues in higher education generate as much interest, argument, and inquiry from both inside and outside the academy.

Historically, the State System has focused its primary interest on the disparity between the retention rate of White students and that of Black and Latino students. From 1988 – 1992, average retention rates (graduated or in school 5 years later) have been 60.8 percent for Whites and 35.6 percent for Blacks. The goal established by the *Prospectus* to reduce the Black/White retention disparity to no more than 10.4 percent by 1992, was not attained. The advent of the Equity Plan is an opportune occasion to enhance the System's performance in this important area.

Under the Equity Plan, retention – defined as receiving a baccalaureate degree or remaining enrolled – will be tracked by cohort for six years, and disparity between the White, Black, and Latino retention rates will be compared. A "cohort" will consist of the first-time, full-time, degree-seeking students enrolled in a given year. In addition to the continuation of cohort tracking, the Office of the Chancellor will compute and review the expected retention rate for a select group of universities to determine if expected retention rate is a feasible technique for the State System.

The expected retention rate, an evaluation technique developed by Alexander W. Astin at the University of California at Los Angeles, is based on data derived from the Cooperative Research Program's 1985 entering freshman survey. Although Dr. Astin contends that "more than half of the variance in institutional retention rates can be attributed directly to differences in the kinds of students who initially enroll, rather than to any differential institutional effect,"[2] there are no plans to use this technique to establish retention goals for the State System.

Review of the literature confirms that any effective retention model must involve the entire university, and that someone should be specifically charged with coordinating overall retention efforts and maintaining retention as a priority. **Each System university's equity plan should include the name or position of the person who has coordination responsibility for retention.**

Other important factors in the design of effective retention efforts include:

- Insurance that all elements of the university recognize that effective equity group retention efforts invariably have a "ripple" effect, resulting in enhanced retention of all students;
- Continuous collection and analysis of retention data;

- Enhanced sharing of retention information between universities;
- Accommodation in the data for special programs such as three/two programs;
- Enhanced student tracking and collection of information regarding the university-specific factors which contribute to attrition and retention.

Appendix D lists some promising recruitment and retention practices, and Appendix E describes diversity initiatives that support racial/ethnic minority recruitment and retention.

Campus Climate

A direct and immediate correlation exists between retention and campus climate. "While poor academic preparation and socio-economic status may be a barrier to matriculation, evidence is growing that the poor quality of minority students' life on campus and their sense of isolation, alienation, and lack of support are more serious factors in attrition."[23] Although the relationship between campus climate and retention and graduation of racial/ethnic minorities is often addressed, campus climate is a key factor in the educational experience of all other equity group constituents, as well. The now commonly used phrase "chilly climate" was coined to reflect that experience of women on today's campuses for a report that says women, even though they constitute a majority of college students, have not become fully integrated in today's campuses.[24]

One of the most common factors affecting the campus climate is the quality of the everyday interaction between campus populations. And one of the most common issues where this interaction frequently has been contentious is dealing with offensive speech. This is a particularly complex issue within higher education because academic freedom and freedom of speech are part of a university's cultural norm. In several instances this has led to the implementation of speech codes. As Judge Avnor Cohen states, "It is an unfortunate fact of our constitutional system that the ideals of freedom and equality are often in conflict. The difficult and sometimes painful task of our political and legal institutions is to mediate the appropriate balance between these two competing values."[25]

The importance of the vigorous denouncement of harassment and/or incivility toward women, racial/ethnic minorities, persons with disabilities, gays and lesbians, or any other constituency cannot be over-emphasized. However, speech codes are constitutionally suspect and the Equity Plan discourages the use of speech codes for two principal reasons: 1) Balance is difficult to achieve. The potential is high that the code will either leave out a group which merits protection, or be so comprehensive that it prohibits any speech that someone, somewhere, may find offensive; and 2) The forceful and thoughtful challenge of bigotry presents an ideal opportunity to do what universities are chartered to do – teach. As organizations dedicated to the profession of education, it would seem obligatory that universities avail themselves of every opportunity to teach their students how to analyze the society around them and how their actions reflect and are reflected within that society.[26]

Stanford University's Student Conduct Policies generally have received favorable endorsement for defining the standards of behavior without imposing a speech code. Because public institutions operate under different policy guidelines than private institutions, the following excerpts from Stanford's policy are not presented as a model to be copied, but as an instructional example of the type and level of effort that goes into design of such policy. The university devoted nearly 18 months of intense debate to the development of its Fundamental Standard which states, in part, that "Students at Stanford are expected to show both within and without the university such respect for order, morality, personal honor and the rights of others as is demanded of good citizens. Failing to do this will be sufficient cause for removal from the university." After reaffirming the university's commitment to free inquiry and free expression, and to equal opportunity and nondiscrimination, the policy presents an interpretation of the Fundamental Standard, stating in part:

> ...Prohibited harassment includes discriminatory intimidation by threats of violence, and also includes personal vilification of students on the basis of their sex, race, color, handicap, religion, sexual orientation, or national and ethnic origin.
>
> Speech or other expression constitutes harassment by personal vilification if it:
> a) is intended to insult or stigmatize an individual or a small number of individuals on the basis of their sex, race, color, handicap, religion, sexual orientation, or national and ethnic origin; and
> b) is addressed directly to the individual or individuals whom it insults or stigmatizes; and
> c) makes use of insulting or "fighting" words or non-verbal symbols.

Campus climate probably is the primary factor which determines the quality of any student's academic experience and defines what type of relationship the student will retain with the university as an alumnus. Every member of the university family contributes to or inhibits establishment of the welcoming, nurturing, supportive environment essential to creating the kind of community which is the ultimate goal of the State System's equity effort.

Graduation

The capstone of the initial higher education experience is award of a baccalaureate degree. Receipt of the degree constitutes a signal achievement. It also provides the foundation for those interested in pursuing postgraduate work.

U.S. Department of Education figures indicate that Blacks received 5.8 percent of all baccalaureates awarded in the United States in 1990. In 1989, they received 5.7 percent of the total. The percentage for Latinos in 1990 was 3.1 percent, an increase from 2.9 percent the preceding year.

It is an unfortunate fact of our constitutional system that the ideals of freedom and equality are often in conflict.

Table VIII

Baccalaureate Degrees Awarded by Race/Ethnic Group, 1988–89 to 1992–93

University	Race	1988–89	1989–90	1990–91	1991–92	1992–93
Bloomsburg	Black	13	15	23	15	12
	Amer. Indian	0	0	0	0	0
	Asian	2	6	8	6	6
	Latino	1	7	4	7	8
	White	1026	1186	1201	1222	1312
California	Black	14	33	27	36	37
	Amer. Indian	1	0	1	2	3
	Asian	1	4	2	5	8
	Latino	6	4	2	1	4
	White	744	829	885	919	920
Cheyney	Black	100	142	129	144	144
	Amer.Indian	0	0	1	0	0
	Asian	1	0	0	1	0
	Latino	0	0	0	0	0
	White	0	2	3	3	5
Clarion	Black	19	25	19	20	17
	Amer.Indian	1	1	2	0	1
	Asian	3	1	2	1	3
	Latino	4	0	1	1	3
	White	914	891	906	905	930
E. Stroudsburg	Black	10	13	11	15	16
	Amer.Indian	0	1	1	0	1
	Asian	7	2	4	5	8
	Latino	0	10	6	10	10
	White	669	724	776	758	815
Edinboro	Black	23	31	22	27	32
	Amer.Indian	3	2	0	0	3
	Asian	2	6	3	2	7
	Latino	3	1	3	1	2
	White	845	792	927	1014	1166
Indiana	Black	70	43	52	59	96
	Amer.Indian	0	2	1	2	3
	Asian	12	13	20	22	11
	Latino	10	7	11	12	8
	White	2052	2018	2008	2087	2107
Kutztown	Black	12	29	23	31	22
	Amer.Indian	0	1	2	0	2
	Asian	5	9	6	11	6
	Latino	4	6	11	6	13
	White	978	1031	1019	1110	1154

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Table VIII (continued)

Baccalaureate Degrees Awarded by Race/Ethnic Group, 1988–89 to 1992–93

UNIVERSITY	RACE	1988–89	1989–90	1990–91	1991–92	1992–93
Lock Haven	Black	11	17	8	12	12
	Amer.Indian	0	3	0	1	0
	Asian	3	0	1	2	2
	Latino	2	2	2	4	2
	White	436	446	508	536	586
Mansfield	Black	8	15	14	20	8
	Amer.Indian	0	0	3	0	0
	Asian	2	1	1	2	0
	Latino	0	2	1	6	1
	White	426	391	408	528	528
Millersville	Black	23	40	39	38	35
	Amer.Indian	2	2	0	1	2
	Asian	17	14	15	22	23
	Latino	7	6	18	16	7
	White	987	1097	1087	1080	1222
Shippensburg	Black	14	8	17	21	25
	Amer.Indian	3	0	0	0	2
	Asian	5	8	6	7	15
	Latino	6	2	9	3	3
	White	1035	986	1033	1118	1172
Slippery Rock	Black	28	23	30	28	31
	Amer.Indian	3	2	2	3	5
	Asian	4	1	4	3	2
	Latino	2	1	2	4	5
	White	1022	1047	1033	1115	1242
West Chester	Black	49	57	60	50	72
	Amer.Indian	1	3	1	3	0
	Asian	9	9	16	21	18
	Latino	5	5	3	14	16
	White	1238	1332	1420	1498	1591

The number of baccalaureates by race/ethnic group conferred by the System universities from 1988–1989 to 1992–1993 is shown in Table VIII.

Although the Equity Plan does not attempt to design or assign numerical goals for degree completion, the Office of the Chancellor will monitor graduation rates and trends of racial/ethnic minorities as a central criterion of the success of equity efforts.

Every member of the university contributes to or inhibits the establishment of the environment essential to creating community.

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Personnel

Overview

Nationwide in 1989-90, Blacks, Latinos, Asians, and American Indians collectively comprised 11.5 percent of the full-time instructional faculty, 15.5 percent of the professional non-instructional staff (executive and professional categories), and 29.1 percent of the non-professional non-instructional staff (clerical, technical, skilled crafts, and service categories) at higher education institutions. This distribution by absolute numbers and job category is shown in Table IX.

By comparison, within the State System of Higher Education in fall 1993, those race/ethnic groups made up 10.4 percent of the full-time faculty, 11.8 percent of the professional non-instructional staff, and 11.7 percent of the non-professional non-instructional staff.

A more detailed comparative review of State System personnel, grouped by primary occupational activity (Appendix F lists job group classifications.) from fall 1988 to fall 1993, is summarized below:

Executive – The representation of racial/ethnic minorities has increased in absolute terms, but the *proportion* of minorities has decreased slightly. Female representation has increased from 32 to 37 percent. The representation of women and minorities is somewhat distorted by the fact that this occupational classification includes some positions in which the incumbent does not have executive line authority or responsibility.

Faculty – Collectively, the proportion of minorities has increased by 1 percent, with the largest increases being Latinos and American Indians. The number of women has increased from 28 to 34 percent. Closer analysis confirms that the overwhelming majority of continuing tenure track positions, particularly at the rank of professor, are held by White males. The principal issues in this

Table IX

Full-Time Employees in Colleges and Universities by Race/Ethnic Group, 1989–1990

	Total	Amer. Indian	Asian	Black	Latino	White
Faculty	514,662	1,498	24,252	23,225	10,087	455,600
Executive	137,561	491	1,980	11,796	3,183	120,111
Professional	343,699	1,398	17,193	29,045	9,510	286,553
Clerical	370,336	1,969	8,928	58,966	18,798	281,675
Technical	147,569	735	6,657	23,126	7,484	109,567
Skilled Crafts	63,728	441	702	7,094	3,410	52,081
Service	201,973	1,317	4,348	67,025	16,766	112,517
Total	1,779,528	7,849	64,060	220,277	69,238	1,418,104

Source: U.S. Equal Employment Opportunity Commission

category are the need to increase the number of race/ethnic minority and women *teaching* faculty, and differential grade/rank in initial appointments, promotion, and retention.

It is well documented that women are paid less than men, even when productivity, experience, academic field, and institution of employment are considered.[7] Within the State System, the collective bargaining agreement offers some control of this issue. However, the rank and level of initial appointments remain vulnerable and the university should monitor them. An expanded perspective of this issue, including a list of recommendations, is presented in a 1991 report by Dr. Mary A. Keetz of West Chester University of Pennsylvania, *The Status of Female Faculty in Pennsylvania's State System of Higher Education: an Historical Perspective, 1974–1989.*

Professional – The proportion of minorities in this category has not increased. Women have increased by 7 percent.

Clerical – Women are predominant in this category, composing 91 percent of the total in 1988 and 1993. Minority representation has increased from about 8 to 10 percent. Several job classifications in this category offer very limited opportunities for career development and advancement.

Technical – Of the seven categories, this one has the lowest minority representation. The 6 percent minority component of fall 1993 represents a 2 percent increase since 1988.

Skilled Crafts – This category has the second lowest minority representation, and the representation of minorities and women has decreased since 1988.

Service – This category has the highest minority representation. Racial ethnic minorities composed 18 percent of the total in 1993, a 4 percent increase since 1988. Although the percentage of women has declined slightly since 1988, women still account for 43 percent of the category.

Equal Employment Opportunity (EEO)

Section 20-2014-A of Act 188, the legislation which created the State System, clearly articulates the System's non-discrimination policy. In accordance with this policy, the State System assures an equal opportunity to all persons without regard to race, color, religion, creed, disability, ancestry, national origin, age, sex, or political party affiliation, in accordance with state and federal laws including Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA) of 1990.

The most commonly used instrument for monitoring and evaluating equal employment opportunity within an organization is the affirmative action plan (AAP). The law requires that institutions/organizations which are federal contractors and have 50 or more employees have an AAP. Only two System universities are federal contractors and, thus, obligated *by law* to have an affirmative action plan. **However, in conjunction with the System's voluntary commitment to affirmative action, all System universities are obligated *by policy* to have such a plan.**

An affirmative action plan compares the utilization of women and racial/ethnic minorities relative to what utilization would reasonably be expected, based on the availability of minorities and women with the requisite job skills both within the institution/organization and in the appropriate regional work force, and a listing of the policies and actions the organization intends to implement to correct any identified under-utilization of these groups. As addressed in the Equity Plan, a university's affirmative action plan is narrower in scope and content than its equity plan.

The AAP may be included as a designated section of a university's equity plan, or it may be designed as a separate document. Although it is neither a federal nor a System requirement for those universities which are not federal contractors, the Equity Plan recommends that all System affirmative action plans utilize the format presented in Title 41 of the Code of Federal Regulations, Chapter 60, Part 60-2, also known as *Revised Order Number 4*.

Appendix G lists specific administrative guidelines and requirements for all State System affirmative action plans.

Affirmative action plans can be effective instruments in the equal employment opportunity segment of an organization's equity and diversity efforts. However, qualitative aspects of the personnel issue are as important as the quantitative aspects. Again, campus climate remains paramount to achievement of community and to the affirmation of individual value, respect, and the security that results.

Gender Equity

A decade has passed since researchers coined the phrase "chilly climate" to describe the many small behaviors that together make up an inhospitable situation for women in academe.[28] While progress has been made, women have not yet become fully integrated on today's campuses.

In 1988, with the adoption of the *Prospectus*, the State System of Higher Education affirmed its commitment to women in higher education by indicating that it "recognizes the significant contribution made by women at all levels to the university culture." The System also recognizes its responsibility to address specific needs of this segment of the university population.[29]

The State System has encouraged the development of organizations whose principal objective is to support, empower, and involve women at all levels. The Women's Consortium, the Commission on the Status of Women, and women's centers now function on State System campuses to serve female faculty, staff, and students. These organizations serve as catalysts for opportunity and achievement in the areas of training, cultural programs, mentoring, leadership activities, and professional development conferences.

The New Agenda of Women in Higher Education: A Report of the American Council on Education (ACE) Commission on Women in Higher Education offers three primary reasons why colleges and universities should become "responsive to the values, ideas, hopes, dreams, and visions of women."

- Our global society is facing problems of potentially catastrophic proportions. We need the best and brightest minds to attend to these problems. Women constitute half of the human resources available. They have the potential for providing for at least half of the answers.
- Higher education has a special responsibility to be a progressive, enlightening social force. This is our heritage, and this is our role. We should be a model for others to emulate. How can we expect society to do what we cannot do for ourselves?
- Theory, knowledge, and practice have been developed by and about women to help us rethink our institutional priorities, plans, and programs, and reshape the process. It is intellectually irresponsible not to use this new body of knowledge and grasp its implications for all our institutions.

The State System reaffirms the commitment it initially made in the *Prospectus* to adoption of the guidelines developed by the ACE Commission on Women in Higher Education (listed in Appendix H).

While it may not be feasible for each university to immediately respond to each guideline, **the Equity Plan urges the System's institutional leadership to ensure that, over the lifespan of the Equity Plan, priorities and time frames for addressing all these areas are established.**

In addressing the quality of professional and personal life for all women in the State System, two issues frequently cut across personnel categories, and have high potential for individual and organizational legal liability: sexual harassment and sports equity.

Sexual Harassment

Sexual harassment is a pernicious and destructive practice. On a personal level it diminishes the self-confidence and self-esteem of its victims, generating anger, fear, and humiliation. On an organizational level, it can lead to low morale, decreased productivity, and increased absenteeism. It directly opposes the achievement of community and represents one of the oldest forms of discrimination.

Based on the definitions in Appendix A, sexual harassment liability may be incurred in two general situations: 1) the *quid pro quo* category, in which an employer/supervisor makes sexual favors a condition of receiving a tangible benefit (such as a job, promotion, recommendation, or grade); and 2) the "hostile environment" category, in which the harassing action unreasonably interferes with one's work or creates extreme discomfort.

A 1986 landmark decision of the Supreme Court affirmed that sexual harassment constitutes a violation of Title VII of the Civil Rights Act of 1964, and a 1992 finding of the Supreme Court upheld a student's sexual harassment claim as a violation of Title IX of the Educational Amendments of 1972, making victims of gender discrimination eligible for monetary damages.

The System recognizes that higher education is included with nearly all other segments of society in the indictment of failing to address this issue adequately. For example, a study at an Ivy League university reported that 32 percent of tenured female and 49 percent of non-tenured female faculty had experienced sexual harassment in the course of their work at the university. [50]

Minority females must contend with the artificial barriers of both race and gender, as confirmed by a 1989 study which shows that Black women in higher education experience the double jeopardy of racial discrimination and sexual harassment. [51]

Because they wield little real power within the university and are dependent on faculty, staff, and administrators for grades, recommendations, and other important services, students are especially vulnerable to sexual harassment. A 1987 study indicated that a significant percentage of students experienced sexual harassment by either a professor or work supervisor. [52]

In light of the well-documented fact that prevention is the most effective tool for the elimination of sexual harassment, it is mandatory that every System university have a written, comprehensive sexual harassment policy. Appendix I presents additional information about sexual harassment, and Appendix J includes guidelines for the design of such a policy, a list of key components, and a sample policy.

It is strongly recommended that university legal counsel review each university's sexual harassment policy prior to implementation. It is vital that universities ensure that their policy and procedures include the requirement for conduct of a thorough and impartial investigation.

Timely resolution is an essential element of any effective sexual harassment policy. Investigations should begin immediately upon receipt of a complaint and should be completed as quickly as possible. Exceptions must not be made because of either the accused's or the accuser's status, seniority, or quality of work performance. Untoward delay or failure to conduct an adequate investigation or to formulate an appropriate remedy for sexual harassment increases the potential for further incidents, additional harm to the person(s) allegedly harassed, and liability for the university.

Sports Equity

The emerging issue of gender equity in sports is one which affects not only the opportunity for female students to have as full a higher education experience as males, but also the opportunity for females to pursue professional opportunities in coaching and athletic program administration.

The Equity Plan affirms the priority of sports gender equity and adopts as the basic guidelines for System universities the proposals established for member institutions by the Board of Directors of the Pennsylvania State Athletic Conference (PSAC) at the Conference's November 1993 meeting. Appendix K lists these guidelines. The Equity Plan recommends that System universities utilize the PSAC proposals as a basic reference for their sports equity efforts.

Gender equity in sports also includes a legal aspect. The courts have determined that the matter falls within the purview of Title IX. The Association of Governing Boards of Universities and Colleges, in conjunction with the United Educators Insurance Risk Retention Group, recently has developed recommendations institutions can consider taking to reduce litigation risks under recent court decisions. (See Appendix K.)

Persons with Disabilities

The Rehabilitation Act of 1973 prohibits the federal government, its grantees, and contractors from discriminating on the basis of disability. The Pennsylvania Human Relations Act also prohibits discrimination against persons with disabilities. The Americans with Disabilities Act (ADA) in 1990 gave persons with disabilities civil rights protections similar to those provided to individuals on the basis of race, sex, national origin, and religion.

Persons with physical disabilities as well as those with learning disabilities fall within protections accorded by the ADA. Moreover, persons with disabilities constitute one of the most rapidly growing constituencies in the State System. Between the fall 1991 semester and the fall 1993 semester, the number of students with disabilities throughout the State System increased by more than 16 percent. The State System of Higher Education enjoys a reputation for excellence in the accommodation of students with disabilities, particularly in several of the leading edge efforts at Edinboro University of Pennsylvania.

The implications and application of ADA are not limited to students, but apply equally to faculty, staff, and administrators and, in many instances, to the public. ADA applies to *all* employment practices and *all* academic and non-academic programs, and requires analysis of all current positions to identify the essential functions of each. Because of the broad scope of this Act, System universities should adjust their record-keeping procedures to ensure that records of ADA-related activities, associated costs, and the number of persons with disabilities are kept up to date.

In accordance with ADA requirements, it is mandatory that, *as a minimum*, each System university:

- **Designate an employee to coordinate ADA compliance;**
- **Provide broad dissemination of information regarding a person's rights and protections under the ADA through handbooks, manuals, bulletin boards, pamphlets, posters, or other means;**
- **Establish and publish effective grievance procedures that any person – even casual visitors to the campus – can use for resolving complaints of ADA violations;**
- **Provide *reasonable accommodation* to the known physical or mental limitation of an applicant, student, employee, or member of the public seeking to use the services of the university; and**
- **Ensure that communications with applicants, participants, and members of the public who are disabled are as effective as communications with others.**

Additionally, each university should have conducted a self-evaluation of all policies, procedures, and practices to identify and correct any that are not consistent with the ADA.

Many specific determinations of the ADA requirements are still being developed. In addition to the assistance available from sister institutions within the State System, an extensive network of assistance and information is available from a variety of other sources. Appendix L lists some of these resources and some promising practices for dealing with persons with disabilities.

Veterans

Like the Americans with Disabilities Act, the law regarding veterans' preference is still developing. The Equity Plan urges System universities to seek the advice of university legal counsel with regard to veterans' preference questions which are unclear.

The Commonwealth highly regards military veterans. The Veterans' Preference Law states that in civil service appointment or promotion examinations for a public position within the Commonwealth, the veteran will be given credit for the discipline and experience represented by his/her military service and for the loyalty and public spirit demonstrated by that service."

As publicly owned institutions, this law applies to System universities in the conduct of all instructional and non-instructional faculty, administrative, and management positions filled by search-and-screen procedures. The Veterans' Preference Law should be used as a tie-breaker. When a veteran and a non-veteran *are equally qualified for a position*, the Veterans' Preference Law requires that *the veteran be hired*. If a written examination is used as part of the search-and-screen process, 10 points should be added to the numerical score of those candidates *with passing scores* who are veterans.

A standard process for handling veterans' preference cases must be adhered to, and veterans' status information should be solicited at the outset of any hiring process. The most common and probably most convenient method of collecting such information is to include it as part of the affirmative action information routinely gathered as part of every search.

In addition, all universities engaged in federal contracting must comply with the Vietnam Era Veterans' Act. This act requires that "the party contracting with the United States shall take affirmative action to employ and advance in employment qualified special disabled veterans and veterans of the Vietnam era." The Office of Federal Contract Compliance Programs also requires that compliance reports be submitted.

The number of military veterans has increased significantly as a result of the Department of Defense decision to decrease the size of the nation's active duty military forces.

Economic Opportunities

Overview

The System universities are key players in their regional economies. Therefore, the System's performance in distributive justice is a particularly visible representation of how well the System practices what it advocates. Analysis of the State System's historical purchasing volume from minority and women business enterprises (MBE/WBEs) has shown systemic problems were inhibiting the full achievement of the System's commitment to equal economic opportunity. The *Prospectus* stipulated that it would be the policy of the System to:

- Award and administer contracts for goods and services in a non-discriminatory manner;
- Promote the *affirmative* participation of minority- and women-owned businesses; and
- Incorporate into the procurement processes the necessary practices and procedures for the procurement of all goods and services for the university to effectively implement the policy.

This commitment paralleled a 1987 action by the Commonwealth which created the Office of Minority and Women Business Enterprises which was to be responsible for:

- Aggressively pursuing contracting and subcontracting opportunities;
- Actively monitoring awards of Commonwealth contracts and subcontracts to MBE/WBEs;
- Developing a list of certified MBE/WBEs; and
- Serving as a clearinghouse for information, policies, and issues pertaining to MBE/WBEs.

Status

Analysis of the dollar amount and percentage of MBE/WBE contracting for each System university in 1992 and 1993 reveals the following:

- An absence of standardized university plans to enhance MBE/WBE participation;
- A lack of standardization in maintenance of records and submission of reports about MBE/WBE contracting;
- Difficulty in gaining access to the Department of General Services on-line listing of MBE/WBEs; and
- Absence of policy guidelines for non-construction procurement contracts which parallel the guidelines for construction/real property contracts.

In 1993, the Board of Governors adopted new regulations for MBE/WBE participation in facilities projects. These regulations (listed in Appendix M) require that 1) certified MBE/WBE firms be proactively solicited and encouraged to submit competitive bids or quotes as the prime contractor; 2) each non-minority bidder proactively solicit participation by

The System universities are key players in their regional economies.

certified MBE/WBE subcontractors and suppliers; and 3) a reasonable effort award amount be identified and serve as a threshold in determining bidder responsiveness.

Recommendations

The State System of Higher Education recognizes its responsibility to assist the Commonwealth in enhancing economic development, creating programs to help more businesses obtain certification as MBE/WBE firms, increasing money awarded to MBE/WBEs throughout the State System, and ensuring that the procurement process is administered in a non-discriminatory manner. The following requirements and recommendations will assist in attaining these goals:

- Effective with their 1994 annual equity report, the System universities will include the number of contracts awarded to MBE/WBE firms, the dollar amount of these contracts, and the percentage which this amount represents of the university's total contract expenditures. The report also will include the total dollar amount that was awarded to MBE/WBE subcontractors.
- All System universities will review their current facilities projects policy to ensure that it substantively models the 1993 regulations approved by the Board of Governors. With the volume of major contracts to be conducted with the Operation Jump Start program, this review is particularly opportune.
- Appropriate representatives of System universities should attend regional minority fairs and purchasing councils to obtain more information about minority firms and, also, to provide information about potential economic opportunities at the respective System institutions.
- System universities should conduct regional campus MBE/WBE fairs and provide training for potential MBE/WBE contractors that addresses the intent of the economic equity efforts, the System bid process, and certification requirements.
- System universities should seek to identify publications targeting minority communities and advertise for potential MBE/WBEs in these publications.
- Each System university should include in its training program training for university administrators, purchasing agents, and other appropriate personnel on the intent of the MBE/WBE program, and to engender collaborative efforts to enhance MBE/WBE participation.

System universities have the authority not to bid contracts under $5,000 for commodities and services. This provides an opportunity and a degree of flexibility to utilize more MBE/WBE firms.

At the earliest opportunity the Office of the Chancellor will investigate the feasibility of developing and maintaining a centralized on-line computer listing of MBE/WBEs for commodity, services, and construction contracts to which the System universities will have access.

Responsibilities

Overview

The activities addressed in this section are recommendations which the Equity Plan urges all members of the State System to accept as voluntary responsibilities. Everyone at a university will benefit and everyone must contribute if the type of organizational change which lies at the heart of the Equity Plan is to become a reality. A two-year study of 10 states showed that the colleges and universities which were most successful in addressing diversity passed through three stages of change. "

The first stage is removal of barriers to participation. It is characterized by innovative, dynamic recruitment and enhancement of all elements of student and staff support.

The second stage consists of the colleges and universities helping students to achieve by "...making it clear what they expect and by taking steps to help students reach academic standards." " Elements of this stage include such projects as partnerships with secondary schools, enhanced transition between two-year and four-year institutions, and increased use of mentors.

The third stage is changing the learning environment through assessment, learning assistance, improved teaching strategies, and curricular reform.

President and Executive Staff

Presidential leadership is paramount in achieving the overall goals of the Equity Plan. As the university's chief executive, the president sets the tone for the institution, generating the cues through which other members of the organization receive reinforcement of their own convictions about rightness, fairness, sensitivity, and equity.

> Although creating a climate that enhances cultural diversity is the responsibility of everyone on campus, leadership from the top is essential and must be accomplished through words and deeds...the president has to articulate his/her commitment and that of the institution to cultural diversity in a forceful manner in many forums. These commitments cannot be made sporadically or only at times when issues relating to race and/or discrimination surface, but must be made in a sustained manner throughout his/her tenure. "

In the data collected as part of the National Retention Project – a three-year effort jointly sponsored by the American Association of State Colleges and Universities (AASCU) and the Student Loan Marketing Association (Sallie Mae) – 85 percent of the institutions who completed the Presidents' Questionnaire identified presidential leadership as the primary catalyst for campus retention efforts. "

Everyone at a university will benefit and everyone must contribute if the type of organizational change which lies at the heart of the Equity Plan is to become a reality.

Given this responsibility, and recognizing that each university is unique, with its own demographic dynamics, historical precedents and culture, each System university president must ensure that an equity plan for his/her university is designed and submitted to the Office of the Chancellor. The plan should cover July 1995 - December 1999, include a mandatory mid-term review to be completed no later than July 1997, and be designed to address students, personnel, and economic opportunities.

The university president also should consider the following:

- Conduct a comprehensive campus-wide assessment of the factors comprising the campus climate to identify current equity issues and the strengths and weaknesses of policies, programs, and practices. Where appropriate, such an assessment could serve as the base on which the university's equity plan is developed;
- Charge the entire university with responsibility for recruiting, retaining, and graduating equity group students, and provide training to sensitize and prepare faculty and staff for this responsibility;
- Continually inform all elements of the university, including the council of trustees, about the status of equity and diversity issues and the university's priority and plans for addressing them;
- Develop and implement programs to enhance the orientation, motivation, and preparation of racial/ethnic minorities for participation in higher education;
- Take advantage of every opportunity to publicly reaffirm the university's commitment to equity and diversity;
- To the extent possible, ensure that equity groups are on all university boards, councils, policy-making and planning committees, and all search committees;
- Encourage early interest in higher education by working with elementary and middle schools to provide tutors, college role models, and enrichment activities. These types of activities can also increase the amount of firsthand contact and interaction that System university teacher education students have with racial/ethnic minorities;
- Support organizations and events that celebrate cultural pluralism and reinforce cultural pride and individual self-worth, and also provide opportunities for understanding, bonding, and celebration across the artificial barriers that otherwise might separate one group from another;
- Recognize that at the heart of the Equity Plan goals is the highly complex issue of each university's capacity to organize for diversity. Increasing and/or modifying various programs and policies is important, but unless more fundamental organiza-

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tional shifts also occur, the change may be limited to simply helping students "adjust," "manage," or "survive" in an alien environment; [38]

- Expand use of the university's research resources to collect data and conduct on-going review, analysis, and assessment of the institution's equity initiatives and to recommend modifications as necessary.

Faculty

Faculty, individually and collectively, are key to achievement of the goals of the Equity Plan because "next to the peer group, the faculty represents the most significant aspect of the students' undergraduate development." [39] They are looked upon to create a nurturing environment in which students, regardless of their group, class, or status, can flourish. The faculty's sphere of influence transcends the classroom. They not only play a primary role in ensuring the academic achievement of students, but also provide essential academic and career guidance. As the American Council on Education notes, "Faculty create the curriculum and determine the quality of the experiences in every classroom. They serve as teachers, mentors, advisors, and role models. In a word, faculty are the core of the institution." [40]
The following recommendations identify crucial areas where direct involvement of faculty can most affect the building of "community" at State System universities and prepare System students to be productive, contributing citizens:

- Accept active participation in the pursuit of community at their universities as an inherent responsibility of membership in the faculty collegium;
- Establish classroom environments which offer the opportunity for challenging and enlightening dialogues, and establish and maintain a classroom climate which values and promotes diversity;
- Monitor the participation by racial/ethnic minorities and women in each class and within each department. Where apparent and consistent under-representation exists, attempt to identify the reasons and take corrective action;
- Monitor within each department the comparative academic achievement, retention rates, and graduation rates of equity group students and assist with correcting any deficiencies, accepting as a basic operating premise that the strongest possible support of *all* students is a legitimate measure of institutional excellence;
- Establish programs such as extended classes covering required material, tutoring, learning laboratories, and collaborative study groups to help provide success, achieve balance, and bridge educational gaps. Develop such programs and support student participation in them before students are in academic difficulty;
- Support diversification of the System faculty, recognizing that this constitutes a vital contribution to the university and the entire State System and is fully consonant with the recommendations of *Priorities* regarding what we teach, how we teach, and what is important to learn;
- Include as valid criteria in faculty evaluations for promotion and/or tenure the support and contributions they have made to the university's equity and diversity;
- Investigate model non-remedial support programs developed both within and outside of the university. In faculty development sessions, share information about such initiatives that have proven effective;
- Through faculty training and orientation sessions, strengthen academic advisement programs to enhance student success, especially as it relates to the persistence and graduation of equity group students;

- Participate in faculty development programs which respond to the recommendation of *Priorities* to "...address the often unconscious, but not uncommon, differential treatment of women and minorities in the classroom.... Research has amply demonstrated that such treatment, however subtle, diminishes students' self-confidence and lowers their aspirations, thus impeding learning;"[41]
- Assist in the recruitment of racial/ethnic minority and female faculty and serve as their sponsors and mentors;
- Strengthen faculty/student relationships by establishing mentoring and support networks for equity group students, and conduct periodic departmental assessments of their effectiveness;
- Monitor and maintain contact with equity group students who elect to pursue graduate programs, and encourage their efforts;
- Inventory curricula to identify the strengths and weaknesses from a multicultural perspective, and develop new courses and/or revise syllabi to correct deficiencies.

Student Life Administrators

Student life includes curricular and extra-curricular components, which affect the overall quality of the students' academic experience, determining whether that experience will conclude with receipt of a degree. Therefore, student affairs departments constitute an essential part of the university and share with academic departments a responsibility for the students' successful university experience. As has been said, "Students learn from the attitudes, behavior, and rhetoric of faculty and staff, from the way they are treated by others on campus, from the ways that members of the university community interact with one another and with the larger community, from the nature and quality of co-curricular activities, as well as from their participation in them, and from the general tone and climate of campus life."[42]

All components of the student affairs operation should accept these inherent responsibilities. Support must be provided across all aspects of the learning, living, and leisure segments of student life. To enhance the opportunities and the qualifications of students to effectively lead and/or follow, some of the social equity goals and activities for student affairs include the following:

- Promote leadership activities for all students, including opportunities to share learning experiences between students from different cultures and backgrounds;
- Develop and implement staff training modules on social equity, including training programs to help students and staff understand their changing environments;
- Advocate and foster enhanced cooperation and sharing of information between the divisions and departments of the university and between the student affairs divisions of other universities;
- Help establish and maintain a non-threatening environment in the university's social world;
- Encourage, monitor, and evaluate the numbers and levels of equity group student participation in co-curricular activities.

Research has demonstrated that the unconscious, but not uncommon, differential treatment of women and minorities in the classroom impedes learning.

Staff

Staff who fill the clerical, maintenance, public safety, housekeeping, and other positions are key to the university operation, and they frequently have as much, if not more, interaction with students than most other members of the campus. The character of this interaction directly influences the quality of the students' university experience. To enhance the ability of staff to contribute to the creation of "community," enhancement of their knowledge, sensitivity, and support of social equity should be an integral part of each university's overall equity effort. Such efforts should include, but are not limited to, the following:

- Development and delivery of social equity training in such areas as 1) awareness and understanding of equity responsibilities under federal and Commonwealth law and State System policy, 2) provision of new insights about respecting and appreciating differences, 3) recognizing and eliminating offensive language and behavior, and 4) adopting new roles and perceptions, without the requirement for new work, in relating to students;
- Implementation of training to enhance the efficiency and "customer orientation" of service to all students;
- Public recognition of employees who contribute and support equity and diversity;
- Use of workshops, meetings, or other forums to provide staff members an opportunity to explore and share ideas about how they can support diversity efforts; and
- Inclusion of equity performance as part of employees' job responsibility and annual evaluation.

Students

Students, too, must be involved in the university's pursuit of community. Many researchers echo the opinion that, "Maintaining the students in the passive role of recipients of information does not promote a sense of connecting to the professor, the other students, or the course content." [1] For most students, the college years afford the opportunity to experience new ideas, people, and personal independence as never before. They must be encouraged, trained, and supported in how best to take full advantage of this time. As a former president of Princeton University has said, "[A] great deal of learning occurs informally. It occurs through interactions among students of both sexes; of different races, religions, and backgrounds...who are able...to learn from their differences and to stimulate one another to re-examine even their most deeply held assumptions about themselves and their world...." [2]

Most students will not arrive at the university clearly understanding their role in achieving equity goals. Within many universities, the limited extra-curricular contact between students and faculty, the lack of intellectual common ground, the grouping of professionals by discipline, and satisfaction with the *status quo* of teaching and learning tend to limit the nature and scope of students' intellectual and civic community. Faculty, administrators, staff, and upper division students must help lower division students learn the norms and standards of the university society, producing the kind of active involvement which contributes to development as citizens of the "global village."

The Equity Plan offers the following recommendations for students:

- Actively participate in freshman orientation and all other programs and activities which facilitate students' transition to university life;
- Identify and meet frequently with an academic advisor;
- Look beyond the *status quo*. Seek information and opportunities for honors program participation, work-study, tutoring, counseling, and other programs and services;
- To the extent which academic demands permit, expand the scope of campus citizenship through involvement in cultural, social, or civic clubs and programs;
- Demonstrate respect for order, morality, personal honor, and the rights of others;
- Experience and learn about other cultures and share aspects of your own culture with others.

Office of the Chancellor

The Office of the Chancellor will coordinate the System-wide equity policy and programs and, in the internal operations of the office, will demonstrate the same quality standards of equity performance expected of System universities. In support of university projects and programs, the responsibilities of the Office of the Chancellor include, but are not limited to, the following:

- Serve as advocate for System-wide equity efforts and maintain liaison with the legislature and appropriate state and federal agencies and offices;
- Design the annual special appropriations request for support of equity efforts, and strive for maximum efficiency and effectiveness in administering this appropriation;
- Review the annual equity report of each System university and provide each president with a comparative analysis of his/her university's performance;
- Maintain communication with university affirmative action/social equity directors;
- Advise System university presidents on equity issues, concerns, or accomplishments;
- Prepare and provide to the Board of Governors, in conjunction with the presidential review process, a report of the equity performance of each university;
- Coordinate the scheduling and conduct of university equity program reviews;
- Coordinate and schedule the bi-annual System equity symposia;
- Assist the universities, as requested by the president.

Faculty, administrators, staff, and upper division students must help lower division students learn the norms and standards of the university society.

Assessment

Overview

Continuing assessment is an important part of the State System's equity efforts. Because each university is unique, self-assessment is a significant part of the assessment process. However, to monitor System-wide progress, identify common concerns, and share lessons learned, the Office of the Chancellor will coordinate assessments across all member universities and conduct comparative analyses between universities. Assessment of the State System's progress in achieving the goals and objectives of the Equity Plan will be conducted primarily through annual equity performance reports and, consistent with Board of Governors policy 1986-04-A, periodic program reviews of each university.

The assessment process should focus on factors that contribute to or detract from an equitable and high quality educational experience, particularly for equity group members. Especially important are factors which influence the perceived level of equity being fostered – the institutional programs, practices, attitudes, and expectations that encourage the achievement of educational goals by all students.

The Office of the Chancellor will support university self-assessments and has initiated contact with agencies such as the College Board to identify instruments already in use (e.g., the Admitted Student Questionnaire) that could be adapted to help meet the specific needs of System universities.

There is no one ideal or correct method of assessing campus climate. Each System university should decide what instruments and methods are most compatible with its mission and conditions. The 1992 Report of the California Postsecondary Commission, *Assessing the Campus Climate*, offers a set of recommendations to which some System universities may wish to refer as a model. These recommendations are listed in Appendix N.

Annual Reports

Commencing in 1995, by February 1 each year, the System Social Equity Office will forward to each university a partially completed copy of the annual report containing quantitative information garnered from the System's master data base. The office will solicit the assistance of university research resources to design the specifics of this report. The general categories and types of information will include, but not be limited to, the following:

- Fall semester enrollment figures by race/ethnic group and gender, and sub-divided by new resident, first-time, full-time, degree-seeking freshman students, and new full-time degree-seeking transfer students;
- Retention data by race/ethnic group within cohorts; and
- An overall quantitative comparison of each university's enrollment and retention with other System universities.

The Office of the Chancellor will direct each university to complete the report by providing the following information and returning it within four weeks:

- The total number of contracts awarded to minority businesses and to woman-owned businesses, and the percentage of the university's total contract expenditures awarded to such firms;
- The university's enrollment goals for African American and Latino students for the succeeding year;
- Any comment the university desires to make about the information provided by the Office of the Chancellor in the report (including any apparent discrepancy with the data provided and the university's data).

- The number of full-time employees (excluding faculty) hired and the number lost during the preceding year by race/ethnic group, gender, and job category;
- The number of faculty appointments and number of faculty losses during the preceding year by race/ethnic group, gender, and rank;
- A summary of the major activities of the university's Commission on the Status of Women during the preceding year, and identification of the person by name and position who will serve as chair of the Commission during the current year;
- The number of discrimination complaints, by type (sexual harassment, racial, age, etc.) filed against the university during the preceding year, the number of these complaints referred to outside agencies (Human Relations Commission, Equal Employment Opportunity Office, Office of Civil Rights, etc.), and the average length of time to resolve sexual harassment complaints;
- The number of students with disabilities presently being served by the university, sub-divided into those with physical disabilities and those with learning disabilities; and
- Identification of what the university considers its two main equity issues for the current year, and a summary of how the university intends to address them.

Equity Program Reviews

The Office of the Chancellor will seek the assistance of the System universities' research resources to develop the specifics of the equity program review instruments and process. The following general guidelines and considerations will apply:

- Several months prior to the review team's visit, the university will complete a self-assessment of its equity program. This assessment will be a central element in the design of the review;
- Based on available resources, System universities would be scheduled for an equity program review every four to five years;
- The equity program reviews will be announced well in advance and will be carefully coordinated to ensure that they are not scheduled in the same year that a university has a Middle States accreditation visit or other such major external review or audit;
- The review, conducted by a team from the Office of the Chancellor and from sister universities, will seek to cover the quantitative and qualitative, formal and informal aspects of the university's equity effort;
- Within one month of the review's completion, a detailed written report of the findings, opinions, and recommendations will be submitted to the university president.

Equity Symposia

The Office of the Chancellor annually will disseminate to the universities a report of the System-wide and individual university equity programs that have been funded by social equity grants during the preceding year. The Office of the Chancellor also will coordinate a System-wide series of equity symposia to complement these reports and help identify common concerns, share lessons learned, and provide more extensive information to all System components.

Symposia will be held every other year, beginning in 1996. The Office of the Chancellor, in conjunction with selected university faculty, research, and administrative resources, will develop the content and format for these events.

The ultimate success or failure of our efforts is not so much a question of new resources as a question of dedication, the application of existing resources, and commitment to a principle.

Conclusions

The Equity Plan design recognizes the autonomy of the State System of Higher Education universities and acknowledges that disparate regional factors influence their equity and diversity efforts. Accordingly, the plan minimizes requirements and maximizes the challenge and opportunity for each university to contribute to the State System's achievement of equity and diversity through community.

Specifically, under the terms of this plan each System university will

- **Produce and annually update an affirmative action plan;**
- **Produce an equity plan which addresses specific subject areas and includes a mid-point review;**
- **Produce and implement a written, comprehensive sexual harassment policy;**
- **Submit to the Office of the Chancellor an annual equity report; and**
- **Periodically receive a thorough on-site equity program review.**

These requirements are an essential element in the State System's ultimate attainment of equity and excellence. However, the complementing qualitative issues and criteria constitute the greater challenge to each university's efficient application of its skills and resources to this demanding task.

The State System anticipates a return visit by the Office of Civil Rights (OCR) soon. As stated in its notice of application of the Supreme Court decision in *United States v. Fordice*, OCR "will examine a wide range of factors" in those states with OCR-accepted desegregation plans (which includes Pennsylvania) to ensure that all vestiges of these states *de jure* systems of segregation have been eliminated."

It is imperative that the State System successfully meet an Office of Civil Rights review. It is of even longer term importance that the System avail itself of the opportunity to be a paramount contributor to the solution of one of the most challenging issues to confront the academy in this century. The ultimate success or failure of our efforts is not so much a question of new resources as a question of dedication, the application of existing resources, and commitment to a principle.

It is essential that all members of the State System recognize that intellectual inquiry and rational discourse remain the hallmarks of higher education.

They allow for differences of opinion about how the goal will be accomplished without denying or decrying the common ground inherent in acknowledgement of the goal's legitimacy and the commitment of this System to making it a reality. The chair and the executive director of the Accrediting Commission for Senior Colleges and Universities of the Western Association of Schools have stated that the issues raised by ethnic diversity are central to educational content and quality and to the Commission's responsibility to individual students, to society, and to the support of curiosity, creativity, and culture. [47]

The frequently shrill and mean-spirited discourse that ridicules and trivializes equity efforts as "political correctness" must not be allowed to affect nor infect the System's vision or commitment. As Professor Charles V. Willie of Harvard University has noted, "It is political incorrectness, not political correctness, that has brought harm to this nation. It is time that we learn to speak to and with each other with respectful, caring, and correct words. Such is the way to community, to unity out of diversity. So let us be done with our snickering and snide remarks about political correctness. In this age of diversity, respect for differences is our ultimate source of security. It is the politically correct thing to do." [48]

The issue is not whether there will or will not be diversity. The dramatically changing complexion, complexity, and composition of the world society already is an inexorable reality. The issue, rather, is how and with what style and quality the State System of Higher Education will adjust its operations to effectively and efficiently accommodate diversity.

Diversity without excellence is mediocrity by definition. Excellence without diversity is mediocrity by range of content. Diversity without community will quickly become anarchy, and community without diversity could be considered a contradiction of terms. The inter-relationships are clear. Excellence is what we proclaim, diversity is what we face, and community is what we seek. Moreover, as one member of the academy points out, "Community with diversity is an act of creation rather than act of tradition." [49]

Excellence is what we proclaim, diversity is what we face, and community is what we seek.

Appendices

Appendix A: Glossary

Affirmative Action: A remedial concept, comprised of fully accountable, coordinated, and proactive efforts at all levels of the State System of Higher Education, designed to attain maximum equity group participation in the educational and economic opportunities offered by the System through strategies intended to eliminate historical inequities and to assure continuing equity group access and participation.

American Indian: Any of the original peoples of North America who maintain cultural identification through tribal affiliation or community recognition. The term frequently is used interchangeably with Native American. However, the term American Indian is more prominently used in Pennsylvania.

Asian/Pacific Islander: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. There are more than 60 subgroups in this category, and wide variations among the histories, traditions, cultures, and major issues of these subgroups.

Black: All persons having origins in any of the Black racial groups of Africa. When used to refer to Americans, the term frequently is used interchangeably with African American.

Culture: "The totality of socially transmitted behavior patterns, arts, beliefs, institutions, and all other products of human work and thought characteristic of a community or population" is the standard dictionary definition. Researchers such as W. W. Nobles expand on this standard definition, writing that "...culture is the vast structure of behaviors, ideas, attitudes, values, habits, beliefs, customs, language, rituals, ceremonies and practices peculiar to a particular group of people which provides them with a general design for living and patterns for interpreting reality....Culture is to humans as water is to fish. It is our total environment. As such, education as well as curriculum development are cultural phenomena."[4]

Equity Groups: Those constituencies which historically have been excluded, unserved, or under-served, including Blacks, Latinos, Asian/Pacific Islanders, American Indians, women, persons with disabilities, and the economically disadvantaged. Although the animosity and exclusion to which Vietnam era veterans were subjected in earlier years appears now to have disappeared, all military veterans are included in the equity group category in recognition of their service to country and Commonwealth.

Still other groups, most prominently gays, lesbians, and bisexuals, remain frequent targets of harassment and discrimination. Such treatment is not merely condemned but is antithetical to the spirit, goals, and purpose of the Equity Plan. This is not to be construed, however, as an extension of protected class status to members of these groups, such as the extension of employment-related benefits beyond the traditional spouse.

Latino: All persons having their origins in the peoples of Mexico, Central or South America, or the islands of the Caribbean. Although the literature tends to address Latinos as a homogeneous population, this group includes people from very diverse backgrounds, cultures, and traditions. The Census Bureau continues to use the term Hispanic, but Latino is the more accurately descriptive term of choice within the northeastern area of the United States. Latino does not include persons whose origins are in Spain.

Minority Business Enterprise (MBE): A business enterprise that is:

a. a sole proprietorship, owned and controlled by a racial/ethnic minority; or
b. a partnership or joint venture controlled by minorities (and/or women) in which 51 percent of the beneficial ownership interest is held by minorities (and/or women); or
c. a corporation or other entity controlled by minorities (and/or women) in which at least 51 percent of the voting interest and 51 percent of the beneficial ownership interest are held by minorities (and/or women).

Multiculturalism: A multidimensional construct involving both philosophical and curricular issues, and which includes the study of topics as disparate as the life of various ethnic groups, racial diversity, gender differences, international issues, non-Western cultures, and cross-cultural methodologies.

Pluralism: A state or condition of society in which members of diverse ethnic, racial, religious, or social groups maintain an autonomous participation in and development of their traditional culture or special interest within the confines of a common community.

Sexual Harassment: As defined by the Equal Employment Opportunity Commission, it is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, especially when 1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive working environment.

The U.S. Department of Education Office of Civil Rights offers as a definition: Sexual harassment consists of verbal or physical conduct of a sexual nature, imposed on the basis of sex, by an employee or agent of a recipient that denies, limits, provides different, or conditions the provision of aid, benefits, services, or treatment protected under Title IX.

Women's Business Enterprise (WBE): A business enterprise that is:

a. a sole proprietorship, owned and controlled by a woman; or

b. a partnership or joint venture controlled by women (and/or minorities) in which 51 percent of the beneficial ownership interest is held by women (and/or minorities); or

c. a corporation or other entity controlled by women (and/or minorities) in which at least 51 percent of the voting interest and 51 percent of the beneficial ownership interest are held by women (and/or minorities).

Appendix B: The Higher Education Equity Index (HEEI)

The HEEI is a mathematical representation of the comparative chances of two groups to complete a baccalaureate degree within the same time period. For example, in 1992, nationwide 25 percent of all Whites ages 25 to 29 had baccalaureate degrees, compared to 11.3 percent of all Blacks in this age group and 9.5 percent of all Latinos. Thus, the 1992 HEEI for Blacks is expressed as 45.2 percent (11.3 divided by 25), and for Latinos 38 percent. Expressed another way, in March 1992 when the Census Bureau administered its survey, African Americans were 45.2 percent as likely as Whites to have earned a baccalaureate degree by ages 25 to 29 and Latinos were 38.0 percent as likely as Whites to have done so. [xi]

The 1993 HEEI for Blacks, using the same methodology as described for the 1992 computations, indicates an increase to 53.5 percent. This increase is attributable in part to the improvement made in the high school completion rate of Blacks and, in absolute terms, the increase in the college Black enrollment rate. However, Census Bureau figures also confirm a clear deterioration in the college completion rate of Blacks entering college after 1965 which has more than offset any gains in high school graduation rates and college enrollment. The HEEI for Blacks first reached the 53 percent range in the mid–1970s. Thus, the 1993 index of 53.5 percent indicates a level that has not increased over the last 20 years.

Commonwealth data is recorded differently from national data. Therefore, the Equity Plan makes a minor modification in the national model for the plan's computation of the HEEI within Pennsylvania. Rather than comparing attainment of a baccalaureate degree by those between the ages of 25 and 29, the comparison is for those 25 years of age and older. The 1990 Census figures indicate that 6.5 percent of the Blacks, 7 percent of the Latinos, and 11.7 percent of the Whites in Pennsylvania who were 25 years of age or older have a baccalaureate degree. Thus, the modified HEEI for Blacks and Latinos in Pennsylvania is 55.6 percent and 59.8 percent respectively.

Appendix C: Computation of University Enrollment Goals for Black and Latino Resident Students

The major component of a System university's enrollment goal for Black and Latino students is its goal for new first-time in-state freshmen. To compute the goal, refer to tables III, IV, V, VI, and VII in this plan. The following is a sample computation of a university's enrollment goal for resident, first-time African American students for 1995.

Step 1: If Table III indicated that University ABCD's average Black resident first-time freshman enrollment from 1989 – 1993 was 5.1 percent, the university estimates that its total resident first-time enrollment for 1995 will be 920. Thus, 47 students (5.1 percent of 920) is the minimum Black enrollment for University ABCD. **The minimum performance standard is that no System university perform at a lower rate than it has averaged over the last five years in terms of the percentage of Black new first-time freshmen within its total new first-time enrollment.**

Step 2: This step involves the use of Tables V and VII. Table V shows the proportion of the System's overall Black enrollment achieved by each university during the past five years. Table VII shows that the System-wide Black resident freshman enrollment goal for 1995 is 1,327. If, in this example, Table V indicated that University ABCD's average was 5.2 percent, the university would need to enroll 69 Black students – its **minimum share of the System's goal** – if it is to continue to achieve the same proportion of the System's goal as it did during the timeframe of the *Prospectus*.

Step 3: Having determined the minimum performance standard and its minimum share of the System goal, University ABCD decides what its resident Black first-time enrollment goal will be. The enrollment goal will also be affected by the university's analysis of the current and projected volume of applications and admissions, the anticipated results of various initiatives such as minority summer programs, partnership programs, anticipated participation by Philadelphia Partnership Program students, and any other relevant factors.

The same procedure, using Tables IV, VI, and VII will be used to compute the goal for resident Latino first-time freshmen.

Some universities will have such dynamic and productive initiatives in place that they elect to exceed their proportional share of the System's goal.

Analysis of the System-wide enrollment from 1989 to 1993 confirms that some progress has been made. In 1989 Blacks accounted for 6.8 percent of the System's overall resident freshman enroll-

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ment. By 1993 this figure had increased to 7.4 percent, with a 10-year high of 7.8 percent attained in 1992. However, it is clear that this is the result of enhanced achievement by some but not all of the universities. A central factor in evaluating each System university's racial/ethnic minority recruitment efforts under the Equity Plan, will be the degree of innovation and imagination brought to addressing the issue, and the willingness to set and achieve recruitment goals above the minimum performance level.

Appendix D: Promising Practices in the Recruitment and Retention of Racial/Ethnic Minority Students

Recruitment

According to research conducted jointly by the Association of Collegiate Registrars and Admission Officers, the American College Testing Program, the College Board, the Educational Testing Service, and the National Association of College Admission Counselors, the recruiting and marketing strategies used by most two-and four-year institutions include, in descending order based on use:

- School visits;
- Campus visits by students;
- Mailings to students;
- College nights;
- Telephone contacts;
- Advertising in local newspapers;
- College fairs (fee-based);
- Visits to campuses by school personnel;
- Commercial radio and television advertising;
- Promotional audiovisual products;
- Displays, booths, and the like;
- Visits to central locations;
- Billboard advertising;
- Advertising in magazines;
- Advertising on public radio and television;
- Advertising in school (student) newspapers.

Slightly more than two-thirds of the survey's respondents indicated that they used school visits, campus visits by students, mailings to students, and college nights.

The following are successful strategies in the recruitment of racial/ethnic minorities as reported by the American Council on Education in its *Handbook for Enhancing Diversity*:

- **Begin with a recruiting plan.** Increasing minority participation on college campuses requires the active involvement of many individuals. As many members of the campus community as possible must be personally invested in the change agenda. The point of departure for increasing the numbers and success rate of racial/ethnic minority students is a plan. The plan should include a statement of purpose, objectives, implementation strategies, evaluation methods, and a mechanism for revising the plans as objectives are met or fail to be met.
- **Work cooperatively with public schools to diagnose and correct the conditions that inhibit the achievement of many students**. An important element of recruiting racial/ethnic minority undergraduates is reaching students as early as elementary school. Increasing students' chances for success before they get to high school can help create a larger pool of students who may think more seriously about going to college. Success breeds self-confidence.
- **Give careful attention to local schools**. In urban areas, local high schools offer a large potential pool of racial/ethnic minority students. However, students from these high schools are more likely than their White or affluent counterparts to be under-prepared. Thus, successful recruiting efforts are made in concert with programs that improve student preparation with the understanding that, once admitted, these students may still need extra help to succeed. Some institutions use high-achieving racial/ethnic minority students and minority alumni to assist in recruiting. Contacts with local churches and community organizations can also assist recruitment efforts.
- **Work collaboratively with community colleges**. Common calendars, equivalent courses, sound advising, bridge programs, transfer agreements, and similar strategies can facilitate the recruitment and enrollment of minority students in baccalaureate programs. It is especially helpful if transfer agreements are course-specific, so that students are not required to repeat courses unnecessarily. It is also advisable that transfer agreements be *degree*-specific, so that the integrity of the associate degree is such that it assures students of being accepted as a junior by the receiving institution.
- **Recognize differences among and within racial/ethnic minority groups**. It is important to recognize that different minority groups have different talents, needs, and problems. Also, there are significant differences within minority groups. For example, Asian-Americans generally outperform all other racial and ethnic groups, and are referred to by some as the "model minority." However, recent Asian immigrants with poor English skills may have considerable academic difficulties that go unrecognized. Because of the superior performance in math and science, it is easy to stereotype Asian-Americans either as non-English speakers (though they may have several generations of ancestors here) or as deficient in language or communication skills. Similarly, it is crucial to recognize that middle-class Black students from competitive high schools have very different backgrounds and problems from their under-prepared, inner-city

counterparts. The family and church are often important in reaching Latino students. Each of these groups brings different issues to a predominantly White campus and needs different kinds of assistance.

- **Develop informational materials in languages other than English.** A number of institutions have found that making materials available to families in their native language, especially Spanish, helps them understand the complicated business of going to college. The decision to go to college is, for many students, a family decision. Other-language materials can be used by church and community groups and involve families and communities in the decision-making process for first-generation college students.
- **Use multiple criteria for admissions purposes.** Over-reliance on standardized tests may eliminate Black and Latino students who do not perform well on tests. Institutions have long recognized the usefulness of additional criteria for admissions, such as musical or athletic ability, or an applicant's status as the child of an alum. To recruit able minority students, institutions should consider such factors as grade point average, community service, leadership record, essays, and interviews.
- **Assist minority applicants in admissions procedures.** Many students and their families, and especially first-generation college students, find the application procedures confusing and intimidating. Certainly, financial aid application forms are difficult for students and their parents. Adult students can be equally overwhelmed by the paperwork. Assistance in navigating the admissions and financial aid process can make a real difference in a student's decision to attend college.
- **Inform the students as early as possible about financial awards–preferably at the time of admission.** Some schools do not inform students of the availability of funds until a few weeks before matriculation. This is inadequate for a family to plan all the strategies necessary to send a child to college or to integrate this burden with other financial commitments. Financially independent students have similar problems and need to plan ahead.

Retention

Student support services, especially those for minority and low income students, have been the principal institutional response to the problems minority students experience in predominantly White institutions. Too often, these services have isolated both minority students and the faculty and staff that work with them, thereby "ghettoizing" their participants and contributing to their marginal status on campus. Institutions most successful with support services find that they assist minority students in both their academic and social adaptation to the institution. These services are accessible to all students, and are comprehensive rather than fragmented or sporadic. Following is a list of recommended strategies.

- **Create a hospitable environment for minority students.** Minority students, both high-risk students and those with strong academic credentials, often find themselves–for the first time–in an environment that is predominately, even overwhelmingly, White. Students accustomed to predominantly minority secondary schools may have to look hard to find a friendly face of color. Certainly, the more minority students on campus, the less conspicuous and isolated individual minority group members will feel. Programs and activities to ease their transition, such as summer programs for high school students, orientation programs for all students, peer counselors, and social and cultural opportunities that expose all students to cultural diversity will help minority students feel more comfortable and welcome and contribute to the education of all students.
- **Pay attention to symbols.** Campus traditions or rituals, photographs in university publications, portraits, and statues are important symbols. These symbols can either enhance diversity or hinder it. For example, a confederate flag may symbolize southern regional pride to some, but, for many, it is an overt reminder of slavery and prejudice. Efforts should be made to ensure that there are visible symbols around campus that reflect the presence of racial/ethnic minorities and women.
- **Develop organized processes for addressing complaints and grievances.** A grievance process to address incidents of racial or ethnic discrimination, harassment, or assaults, and a designated, accessible individual to deal with complaints and grievances, are also important. Programs to sensitize majority students and faculty and reduce campus conflict are essential.
- **Demonstrate the importance of student-centered support services.** Successful institutions incorporate services for minority students into related services for all students. They involve many individuals from all parts of the institution in ensuring minority student success. They ensure that each individual to whom students may turn for assistance has the necessary information to prevent students from being shunted from one office to another.
- **Provide trained, experienced teachers for under-prepared students.** Under-prepared students need the most effective teachers. Special training for the academic faculty is often required to help them understand how to be most effective teaching lesser prepared students.
- **Integrate academic support programs with student service counterparts.** Like majority students, minority students need support groups, tutorial services, academic advising, and career counseling.

These services should be coordinated and supportive.

- **Provide and support peer counseling**. Peer counseling is an effective and non-threatening way to assist minority students in understanding and confronting academic and social problems.
- **Provide an "early warning system."** Freshmen in trouble must be identified early and helped before it is too late. Faculty members may need training on how to identify poor achievers and convince them to utilize academic support.

Some colleges and universities rely exclusively on external funds for special services. This practice sends a message to staff and students that they are not central to the institution's purpose. Institutions should lodge responsibility for minority students with staff members who are an integral part of the student or academic services staff. This encourages faculty and staff to take an active role or have a personal stake in the success of minority students. It also prevents the isolation of students, faculty, and staff in these special service areas.

Appendix E: Diversity Initiatives

This list of diversity initiatives was extracted from *Sources: Diversity Initiatives in Higher Education*. This national publication, produced by the American Council on Education (ACE), summarizes organizational, institutional, state, and federal programs specific to multicultural initiatives in higher education.

Junior High School and Senior High School Programs

Title: HACC/Harrisburg School District Project
University: Harrisburg Area Community College (HACC), Harrisburg, PA 17110

HACC African American counselor is assigned one day per week to 10th graders to encourage students to stay in course sequence, and to motivate them toward higher education. Not an effort to recruit students to HACC.

Title: Career Day Program
University: Lehigh County Community College, Schnecksville, PA 18078

Career Day Program held on-campus for minority eighth grade students.

Title: Academic Enrichment and Recruitment Program for Youth with Special Academic and Career Needs
University: Pennsylvania State University – Allentown Campus, Fogelsville, PA 18051

Enables 45 at-risk minority students from eighth through 11th grades to become qualified for admission to the institution upon graduation; involves community agencies, local industry, and continuing education and resident instruction faculty.

Title: African American Alumni Recruiting Network
University: Villanova University, Villanova, PA 19085

Aimed at attracting more African American and minority students. Gives students the opportunity to learn firsthand from Villanova alumni that the university has services, faculty, and programs designed specifically for their needs.

Minority Student Honors Programs

Title: Summer Program for Academic Excellence
University: Franklin and Marshall College, Lancaster, PA 17604

Ethnic minority students already accepted to the college are invited to participate in this program prior to the start of their freshman year. They take summer classes taught by regular faculty and administrators who also teach during the academic year. Familiarizes them with the F&M classroom experience and allows them to establish relationships with peers, faculty, and administrators early on.

Title: Summer Programs
University: Pennsylvania State University – University Park, University Park, PA 16802

Each college within the university has a minority coordinator responsible for recruitment and retention. More than 59 programs are offered addressing pipeline issues including the Summer Institute for Academic Achievement that serves 15 minority students, the Summer Enrichment Program for Minority Faculty.

Title: Summer Scholars Program
University: Saint Joseph's University, Philadelphia, PA 19131

The Summer Scholars Program is for 10th and 11th grade multicultural students, to increase their probability of success at the college level.

Minority Student Retention Programs

Title: Racial Diversity Action Group (RDAG)
University: Beaver College, Glenside, PA 19038

Racial Diversity Action Group (RDAG), formed in 1989, addresses issues related to racial and ethnic diversity. Curriculum changes, classroom climate, prejudice reduction, and campus diversity are pursued by this group.

Title: Minority Women in Science
University: Bryn Mawr College, Bryn Mawr, PA 19010

The Minority Women in Science Program brings entering freshmen to campus for 10 days of lab projects with upper-level science majors and graduate students, women scientist speakers, informal discussion with science faculty, and trips to local science places of interest.

Title: Mentoring Program
University: Eastern College, St. Davids, PA 19087

This program assigns faculty and staff to work as mentors to new minority students. Frequent workshops are held for both mentors and mentees. Recipients of African American Leadership Grants are required to participate in this program.

Title: Minority Mentoring Activities
University: Mansfield University of Pennsylvania, Mansfield, PA 16933

This program sponsors intrusive academic advising, Equity Group Luncheon, guest speakers, conferences, Ebony discussion hours, and a Minority Student Recognition Banquet.

Title: Welcome Luncheon
University: Montgomery County Community College, Blue Bell, PA 19422

The Welcome Luncheon for African American, Asian American, Hispanic, and Native American students promotes friendship, unity, and support; creates a time for students to meet with faculty and administrators and build relationships.

Title: Project Comfort Zone
University: Montgomery County Community College, Blue Bell, PA 19422

The program is designed to comfortably acclimate minority students to the college environment, faculty, administration, and staff; accomplished through workshops and social gatherings of students and college personnel.

Title: AHANA Retention Project
University: Montgomery County Community College, Blue Bell, PA 19422

The program is designed to retain African American, Hispanic American, Asian American, and Native American students by means of entrance interviews, personal counseling sessions, and progress reports for each course taken; stresses the importance of mentoring by faculty members.

Title: Student Mentor Program
University: Saint Joseph's University, Philadelphia, PA 19131

In this program, freshmen are provided with upperclass mentors for transition to college life, and upperclassmen are provided with mentors whose professional careers reflect the student's curriculum and interests.

Visiting Minority Scholars Programs

Title: Multicultural Scholar-in-Residence
University: Dickinson College, Carlisle, PA 17013

This program increases the visibility of persons of color, thereby providing role models for successful minority participation in liberal education. Designed to help young minority faculty in the beginning stages of their academic careers.

Title: Visiting Scholars Program
University: Pennsylvania State University – Allentown Campus, Fogelsville, PA 18051

This program allows students in the sciences, arts, and humanities to interact with a minority academic scholar and/or artist; creates a presence on campus of a positive role model of color.

Other Diversity Initiatives

Title: Day of Dialogue on Cultural Pluralism
University: Franklin and Marshall College, Lancaster, PA 17604

This program was conceptualized, planned, and implemented by three different committees that are composed of a cross-section of students, faculty, and administrators; day of discussion about diversity, multiculturalism, tolerance, and acceptance.

Title: Diversity Day
University: Lehigh County Community College, Schnecksville, PA 18078

This program encourages students to embrace the values of pluralism and diversity; conducted with high school students.

Title: Various Diversity Programs
University: Millersville University of Pennsylvania, Millersville, PA 17551

The Office of Human Relations and Affirmative Action sponsors the Black History Month Celebration, Latino Week, and the Lancaster Partnership Program; the Commission on Cultural Diversity Conference, "Diversity in Higher Education."

Title: Multicultural Advisory Committee
University: Harrisburg Area Community College (HACC), Harrisburg, PA 17110

This committee was formed to advise the college on educational/training needs of minority communities, service needs of minority students, recruitment strategies responsive to minority youths and adults, and retention approaches to enhance the success of students.

Title: Equal Opportunity Planning Committee (EOPC)
University: Pennsylvania State University – University Park, PA 16802

Formed in 1983 to oversee the implementation of the university's plan to increase African American representation on campus. Recommends policies and procedures that promote the recruitment and retention of Black, Hispanic, and women students and employees; oversees the allocation of equal opportunity and other special funding; conducts workshops and evaluations for equal opportunity at the university for all under-represented groups, particularly those covered under federal policies.

Title: Minority Support Group
University: Rosemont College, Rosemont, PA 19010

This group meets with all senior class students of color to reflect upon their Rosemont experience to improve delivery of services to minority students.

Title: Black History Month Programs
University: University of Pittsburgh – Bradford, Bradford, PA 16701

The university puts strong emphasis on Black History Month as a means of incorporating multiculturalism in education, music, drama, and film.

Title: Minority Recruitment
University: Villanova University, Villanova, PA 19085

The minority recruitment efforts include community outreach to several organizations, churches, and groups. Efforts are bolstered by members of the Black Cultural Society who assist with high school visits of potential students and a phon-a-thon.

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Appendix F: Job Group Classifications

Executive, Administrative, and Managerial: Includes all persons whose assignments require primary (and major) responsibility for management of the institution, or a customarily recognized department or subdivision. Assignments require the performance of work directly related to management policies or general business operations of the institution, department, or subdivision, etc. The assignments in this category customarily and regularly require the person to exercise discretion and independent judgment, and to direct the work of others. Report in this category all officers holding such titles as president, vice president, dean, director, or the equivalent, as well as officers subordinate to any of these administrators with such titles as associate dean, executive officer of academic departments (department heads, or the equivalent) if their principal activity is administrative. NOTE: Supervisory service/maintenance personnel should be included within the specific categories of the personnel they supervise.

Faculty: This definition includes the bargaining unit consisting of department chairpersons, full-time teaching faculty including librarians with faculty status, part-time teaching faculty, librarians without faculty status, and faculty members whose basic responsibilities lie outside of the classroom setting.

Professional Non-Faculty: Include in this category persons whose assignments would require either college graduation or experience of such kind and amount as to provide a comparable background. Included would be all staff members with assignments requiring specialized professional training who should not be reported under Executive or Faculty, and who should not be classified under any of the four "nonprofessional" categories of activities.

Clerical and Secretarial: Includes all persons whose assignments typically are associated with clerical activities or are specifically of a secretarial nature. Include all personnel who are responsible for internal and external communications, recording and retrieval of data (other than computer programmers) and/or information and other paper work required in an office, such as bookkeepers, stenographers, clerk typists, office machine operators, statistical clerks, payroll clerks, etc. Sales clerks such as those employed full time in the bookstore, and library clerks who are not recognized as librarians also are included.

Technical and Paraprofessional: Includes all persons whose assignments require specialized knowledge or skills which may be acquired through experience or academic work such as is offered in many two-year technical institutes, junior colleges, or through equivalent on-the-job training. Also included are computer programmers and operators; drafters; engineering aides; junior engineers; mathematical aides; licensed, practical or vocational nurses; dieticians; photographers; radio operators; scientific assistants; technical illustrators; technicians (medical, dental, electronic, physical sciences); and similar occupations not properly classifiable in other occupational-activity categories but which are institutionally defined as technical assignments. Persons who perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional technical status, also are included.

Skilled Crafts: Includes all persons whose assignments typically require special manual skills and a thorough and comprehensive knowledge of the processes involved in the work, acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Included are mechanics and repairers, electricians, stationary engineers, skilled machinists, carpenters, compositors, and typesetters.

Service/Maintenance: Includes persons whose assignments require limited degrees of previously acquired skills and knowledge and in which workers perform duties which result in or contribute to the comfort, convenience and hygiene of personnel and the student body or which contribute to the upkeep and care of buildings, facilities, or grounds of the institutional property. Chauffeurs, laundry and dry cleaning operatives, cafeteria and restaurant workers, truck drivers, bus drivers, garage laborers, custodial personnel, gardeners and groundskeepers, refuse collectors, construction laborers, and security personnel are included.

Note: These job classification definitions are taken from the Office of Federal Contract Compliance (OFCC) manual.

Appendix G: Affirmative Action Plan Guidelines

The following will apply to all State System affirmative action plans:

- The timeframe for all plans will be the July 1–June 30 fiscal year;
- Plans will be updated annually;
- The 1990 census will serve as the availability reference for all job categories other than those for which a search to fill a vacancy would be limited to the local area and/or for faculty;
- The availability reference for local area searches will be the most current labor market information publication available from the Commonwealth's Department of Labor and Industry;
- The current edition of the National Research Council publication, *Ph.D.s Awarded to U.S. Citizens and Permanent Residents, by Race/Ethnicity, Gender, Fine Field Doctorate and Year*, will serve as the availability reference for faculty positions. To develop meaningful totals, it is recommended that faculty availability figures be aggregated by general category, such as humanities, business and management, education, and so

forth, rather than by specific discipline.

In addition to the general policy guidelines and specific requirements listed above, every affirmative action plan also must include the following components.

Workforce analysis which is defined as a listing of each job title as it appears in applicable collective bargaining agreements or payroll records (not job group) ranked from the lowest paid to the highest paid within each department or other similar organizational unit including departmental or unit supervision. If there are separate work units or lines of progression within a department, a separate list must be provided for each such work unit, or line, including unit supervisors. For lines of progression there must be indicated the order of jobs in the line through which an employee could move to the top of the line. Where there are no formal progression lines or usual promotional sequences, job titles should be listed by department, job families, or disciplines, in order of wage rates or salary ranges. For each job title, the total number of incumbents, and the total number of male and female incumbents in each of the following groups must be given: African Americans, Latino-surnamed Americans, American Indians, and Asians. The wage rate or salary range for each job title must be given. All job titles, including all managerial job titles, must be listed.

An analysis of all major job groups at the facility, with explanation if minorities or women, are currently being underutilized in any one or more job groups ("job groups" herein meaning one or a group of jobs having similar content, wage rates, and opportunities). "Underutilization" is defined as having fewer minorities or women in a particular job group than would reasonably be expected by their availability. In making the utilization analysis, the institution shall conduct such analysis separately for minorities and women.

In determining whether minorities are being underutilized in any job group, the institution will consider at least all of the following factors:

1. The minority population of the labor area surrounding the facility;
2. The size of the minority unemployment force in the labor area surrounding the facility;
3. The percentage of the minority workforce as compared with the total work force in the immediate labor area;
4. The general availability of minorities having requisite skills in the immediate labor area;
5. The availability of minorities having requisite skills in an area in which the institution can reasonably recruit;
6. The availabldity of promotable and transferable minorities within the institution's organization;
7. The existence of training institutions capable of training persons in the requisite skills; and
8. The degree of training which the institution is reasonably able to undertake as a means of making all job classes available to minorities.

In determining whether women are being underutilized in any job group, the institution will consider at least all of the following factors:

1. The size of the female unemployment force in the labor area surrounding the facility;
2. The percentage of the female workforce as compared with the total workforce in the immediate labor area;
3. The general availability of women having requisite skills in the immediate labor areas;
4. The availability of women having requisite skills in an area in which the institution can reasonably recruit;
5. The availability of women seeking employment in the labor or recruitment area of the institution;
6. The availability of promotable and transferable female employees within the institution's organization;
7. The existence of training institutions capable of training persons in the requisite skills; and
8. The degree of training which the institution is reasonably able to undertake as a means of making all job classes available to women.

Establishment of goals and timetables

1. The goals and timetables developed by the institution should be attainable in terms of the institution's analysis of its deficiencies and its entire affirmative action program. Thus, in establishing the size of its goals and the length of its timetables, the institution should consider the results which could reasonably be expected from its putting forth every good faith effort to make its overall affirmative action program work. In determining levels of goals, the institution should consider at least the factors listed above.
2. Involve personnel relations staff, department and division heads, and local and unit managers in the goal-setting process.
3. Goals should be significant, measurable, and attainable.
4. Goals should be specific for planned results, with timetables for completion.
5. Goals may not be rigid and inflexible quotas which must be met, but must be targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire affirmative action program work.
6. In establishing timetables to meet goals and commitments, the institution will consider the anticipated expansion, contraction, and turnover of and in the workforce.
7. Goals, timetables, and affirmative action commitments must be designed to correct any identifiable deficiencies.
8. Where deficiencies exist and where numbers or percentages are relevant in developing corrective action, the institution shall establish and set forth specific goals and timetables separately for minorities and women.

9. Such goals and timetables, with supporting data and the analysis thereof shall be a part of the institution's written affirmative action program and shall be maintained at each establishment of the institution.
10. Where the institution has not established a goal, its written affirmative action program must specifically analyze each of the factors listed in II-A and II-B detailing the reason for the lack of a goal.
11. Moreover, support data for the required analysis and program shall be compiled and maintained as part of the institution's affirmative action program. This data will include but not be limited to progression line charts, seniority rosters, applicant flow data, and applicant rejection ratios indicating minority and sex status.

Additional required ingredients of affirmative action programs

Effective affirmative action programs shall contain, but not necessarily be limited to, the following ingredients:

1. Institution's equal employment opportunity policy in all personnel actions;
2. Internal and external dissemination of the institution's policy;
3. Responsibilities for implementation of the institution's affirmative action program;
4. Identification of problem areas (deficiencies) by organizational units and job group;
5. Establishment of goals and objectives by organizational units and job groups, including timetables for completion;
6. Development and execution of action-oriented programs designed to eliminate problems and further designed to attain established goals;
7. Internal audit and reporting systems to measure effectiveness of the total program;
8. Compliance of personnel policies and practices with the Sex Discrimination Guidelines;
9. Active support of local and national community action programs and service programs;
10. Consideration of minorities and women not currently in the work force having requisite skills who can be recruited through affirmative action measures.

These instructions have been adapted from the July 1992 edition of the Office of Federal Contract Compliance publication, *Chapter 60: Equal Employment Opportunity: Title 41 Part 60 of the Code of Federal Regulations*, U.S. Department of Labor 60-2:12 to 2:15.

Resources

The following publications are good references for preparing an affirmative action plan:

- Ankeny, David C., "Creating the Statistical Portion of an Affirmative Action Plan." *Tulane Law Review* 65:5, pp. 1183-1222.
- Fox, John C., *Affirmative Action Program Workbook*. The National Employment Law Institute, 444 Magnolia Avenue, Suite 200, Larkspur, CA 94939.
- Nobile, Robert J. and Mooney, Michael, *How to Write an Affirmative Action Plan*. Prepared for the American Management Association course, "How to Write an Affirmative Action Plan." Association Management Center, 440 First Street, NW, Washington, DC 20001.
- American Association for Affirmative Action, *Affirmative Action Plan Development for the AA/EO Professional*. AAAA Headquarters, Professional Training & Development Committee, 11 East Hubbard, Suite 200, Chicago IL 60611.

The following organizations offer training programs on the preparation of affirmative action plans:

- American Association for Affirmative Action, (phone 312-329-2512)
- National Employment Law Institute, (phone 415-924-3844)
- American Management Association, (phone 800-225-3215).

Appendix H: Guidelines Developed by the American Council on Education (ACE) Commission on Women in Higher Education

The ACE Commission on Women in Higher Education developed the following guidelines which the System Equity Plan presents as standards against which university policy and procedures should be developed:

- Demonstrate a strong commitment to understanding and addressing the concerns of women students, faculty, staff, and administrators;
- Identify and correct inequities that may exist in hiring, promotion, tenure, and salary of women faculty, staff, and administrators;
- Provide a supportive campus climate for women in the classroom and in employment settings;
- Establish or reaffirm an institutional commitment to women's studies;
- Review university policies for their effect on minority women and majority women;
- Support a university planning process that addresses at each stage the question of impact on minority women and majority women;
- Review/develop and implement effective policies to address the problem of sexual harassment;
- Prepare an annual status report for the total university community;
- Initiate a campus values inventory intended to examine values issues which continue to prevent the inclusion of women in certain areas of university life;

- Develop policies, procedures, and programs that support children and families in the broadest sense;
- Promote activities which demonstrate the value of diversity to the campus life;
- Make leadership development and commitment to fostering women's leadership joint priorities;
- Establish or reaffirm the commitment to a commission on women;
- Appoint a high-level person whose formal responsibilities include advocacy for women on campus;
- Provide leadership in fostering an environment which encourages the discussion of and attention to sex equity issues.

Appendix I: Sexual Harassment Policy Information

Policy Guidelines and Key Components

In light of the well-documented fact that prevention is the most effective tool for the elimination of sexual harassment, it is mandatory that every System university have a written, comprehensive sexual harassment policy. In the design of such policy, the following guidelines will apply:

- The policy will contain an unequivocal statement of the university's prohibition and intolerance of sexual harassment; and
- Provide for a confidential reporting mechanism whereby employees and students have access to at least two management level persons, other than the employee's immediate supervisors, to whom they can go with their complaints; and
- Establish time frames to ensure that all complaints of sexual harassment will be promptly investigated and that timely, appropriate corrective action will be taken; and
- Emphasize that no retaliation will be taken against any person making a complaint in good faith. However, knowingly false/malicious complaints may result in disciplinary action.

It is strongly recommended that each university submit its sexual harassment policy to university legal counsel for review prior to the policy's implementation. Universities also should be aware of the fact that recent court decisions tend to emphasize the need to review the facts in a sexual harassment case from a reasonable person's perspective. To cover all situations, institutional policy should refer to a standard of review by a "reasonable person" of the same sex of the complainant.

An effective sexual harassment policy will contain five key components:

1. Printed information for administrators, faculty, and staff that presents the institution's prohibition against sexual harassment, its definition in the work environment, and the process for filing a sexual harassment grievance.
2. Printed information for students that presents the institution's prohibition against sexual harassment, its definition of sexual harassment in the workplace, classroom, and extracurricular settings, and the process for filing a sexual harassment complaint or grievance.
3. A process for continuous accounting of sexual harassment complaints and the submission of periodic reports to the president regarding the type and disposition of such complaints.
4. Designation of appropriately trained management employees having direct access to the president and charged with the responsibility and authority to investigate sexual harassment complaints.
5. A complaint/grievance procedure which includes the following:
   - Support for the complainant in the form of counseling;
   - Assurance of qualified confidentiality for both the complainant and the accused;
   - A process for investigating the complaint promptly, including specific time frames;
   - Assurance of non-retaliation against the complainant as the result of her/his good faith complaint or grievance;
   - Feedback to the complainant regarding the progress and the outcome of the investigation;
   - Reconciliation of any disciplinary action(s) with pertinent personnel policies, relevant codes, and/or collective bargaining agreements;
   - A process for reporting complaints and their outcomes to the required state or federal regulatory agencies;
   - A process for locally reporting incidents and outcomes. [1]

Sample Checklist for Sexual Harassment Investigations

I. Preliminary Considerations

A. Use two investigators, if possible.
B. Create a confidential file.
C. Conduct interviews in a private room.

II. Gathering the Facts

A. Review relevant personnel files and university policies.
B. Interview the complainant.
   1. Take her/his complaint seriously.
   2. Explain the investigation but don't promise complete confidentiality.
   3. Find out what happened: GET SPECIFICS.
   4. Determine the effect of the harassment on the complainant.
   5. Find names of witnesses with firsthand information.
   6. Ask the complainant what relief she/he is requesting.
   7. Assess her/his credibility.
   8. Take a statement, if warranted.
   9. Type the notes of the interview.
C. Interview the accused.
   1. Explain the purpose of the interview but state that no decision has been made on the truthfulness of the allegations.
   2. Identify the complainant and the specific basis of the sexual harassment complaint.
   3. Ask him/her to respond to the charges.
   4. Find the names of witnesses with firsthand information.

5. Assess her/his credibility.
6. Take a statement, if warranted.
7. Type the notes of the interview.

D. Interview corroboration witnesses.
1. Try to elicit identity of complainant and accused from witness as opposed to identifying the complainant and the accused to the witness at the beginning of the interview.
2. Find out what he/she knows: GET SPECIFICS.
3. Distinguish between firsthand and secondhand knowledge.
4. Assess the credibility of the witness.
5. Take a statement, if warranted.
6. Type the notes of the interview.

III. Evaluating the Facts and Making the Decision

A. Evaluate the facts from the perspective of a reasonable person of the same sex of the complainant.

B. Distinguish between "unwelcome" and "voluntary" sexual conduct.

C. Draft a thorough, even-handed report.
1. Make the report chronological.
2. Note initial date of complaint.
3. Provide exact details of the complaint.
4. Note the documents reviewed.
5. Describe the interviews.
6. For all witnesses, distinguish between firsthand knowledge and rumor.
7. State conclusion as to whether sexual harassment occurred and provide specific justification.

D. Submit the report to the decision-making official. That official should
1. Not be a rubber stamp;
2. Point out deficiencies in the report;
3. Ask follow-up questions;
4. Conduct interviews him or herself if necessary;
5. Document his or her actions.

E. Follow-up with the complainant and accused after the decision has been made.In all cases when the accused is found to have sexually harassed the complainant, the complainant will be notified of the disciplinary actions meted out to the accused.

IV. Appeals

Any complaining party who disagrees with the findings of an investigative report must be given an opportunity to appeal to the president or the president's designee by formally and specifically stating all objections. The reviewing officer must review the objections and determine whether, in full or in part, to affirm the report or to require further investigation.

V. Mediation

Voluntary mediation may be engaged as an informal dispute resolution mechanism with the consent of all parties to a complaint. No party can be required to engage in mediation and, if so engaged, may withdraw his/her consent anytime. Parties must be advised of the voluntary nature of the process.

VI. Fact Finding Sessions

No complaining party can be required to attend fact finding meetings or any other form of face-to-face meeting with the person(s) against whom a complaint has been brought. The use of such sessions rests upon the consent of the complaining party. Complaining parties must be advised that such sessions are optional.

Appendix J: Sample Sexual Harassment Policy

I. Purpose

It is imperative that all employees, students and vendors of (name) University comply with both the spirit and intent of federal, state, and local laws, government regulations and court orders which relate to sexual harassment. Administrators, faculty, and staff at all levels have a continuing responsibility to assure a work, educational, and living environment that is free of sexual harassment. It is the purpose of this policy to define and implement these responsibilities.

II. Policy

It is the policy of (name) University to assure a work, educational, and residential environment free of sexual harassment. In accordance with Section 1604 of Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and the Pennsylvania Human Relations Act, the university prohibits and will not tolerate sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature will constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment (or education);
- submission to or rejection of such conduct by an individual is used as the basis for employment (or academic) decisions affecting such individuals;
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive working, educational, or residential environment.

Furthermore, as provided by the U.S. Department of Education Office for Civil Rights, sexual harassment also consists of verbal or physical conduct of a sexual nature, imposed on the basis of sex, by an employee or agent of a recipient that denies, limits, provides different, or conditions the provision of aid, benefits, services, or treatment protected under Title IX.

III. Responsibilities

The university is responsible for educating all of its students, faculty, and staff regarding what constitutes sexual harassment and what steps will be taken to resolve complaints.

Each dean, director, department chairperson, and/or administrative officer is responsible within his/her respective area for the implementation, dissemination, and explanation of this policy.

Assistance in accomplishing these tasks may be obtained by contacting (name) or the director of human resources. It is the obligation of each student, faculty, and staff member to adhere to this policy.

IV. Procedures

A. Informal Mechanisms for Mediation and Resolution

Informal review and consultative processes are highly desirable means of resolving problems. The university believes that a strong, informal system for receiving and handling most complaints will encourage resolution. Any person may contact the (name or office) and/or the (name or office) for informal discussion, advice, and assistance. All discussions held under this informal procedure shall have the goal of resolving the matter without the necessity of entering into the formal complaint procedure. Every effort will be made to handle these contacts in a confidential manner. Any person involved in such informal discussions may be accompanied by an individual or appropriate union official if he/she so desires. Written records associated with the resolution of a problem during these informal proceedings will be kept in the office of the (name) for three years. Any formal disciplinary letters issued will be placed in the respondent's personnel file and will remain for (#) years (in conformance with the applicable policy or collective bargaining agreement).

If anyone other than the (name) receives an informal complaint against a faculty or staff member this person must notify the (name) before beginning any investigation into the complaint.

B. Formal Mechanisms for Investigation of Complaints

When informal resolution is not chosen or is unsatisfactory, the following guidelines should apply:

1. Harassment by a faculty member.

Formal complaints against a faculty member, graduate assistant, or any other person assisting with the instructional program brought by a student, staff member, or another faculty member should be brought to the attention of the appropriate designated manager.

2. Harassment by a staff member.

Formal complaints against a staff member brought by a student, faculty member, or staff member should be brought to the attention of the appropriate designated manager.

   a. If the investigation into any charge results in a finding of probable cause, a recommendation will be made to the president by the investigating manager.

   b. Any written records associated with a formal investigation will be maintained in the designated office for three years. Any information related to the formal disciplinary action in such cases will be placed in the respondent's personnel file and will be retained for (#) years (in conformance with the applicable policy or collective bargaining agreement).

3. Harassment by students.

Formal complaints against a student brought by a staff member, a faculty member, or another student, should be brought to the designated student life officer. The procedures for handling such matters involving students and/or student organizations are detailed in the Student Code of Conduct found in the (name) University Student Handbook.

4. Harassment by outside vendors.

Complaints of harassment by outside vendors and/or subcontractors should be reported to the vice president for finance and administration, the director of physical plant operations, the director of human resources, or directly to the affirmative action officer.

5. Harassment by administrators and/or trustees.

   a. Complaints against administrators below the level of vice president should be brought to the attention of the appropriate vice president and the director of human resources.
   b. Complaints against vice presidents should be brought to the president and the director of human resources.
   c. Complaints against the university president or a member of the council of trustees should be brought to the Office of the Chancellor.

If anyone other than the affirmative action officer receives a formal complaint against a faculty or staff member this resource person must notify the affirmative action officer before beginning any investigation into the complaint.

6. Referrals of complaints against managers designated to process complaints.

If any manager designated to process complaints is accused of sexual harassment, then the complaint is to be filed with the affirmative action officer. Any complaint brought against the affirmative action officer is to be filed with the director of human resources.

7. Appeals.

Any complaining party who is dissatisfied with the outcome of an investigation may request that it be reviewed by (name and position of designated manager). The complaining party shall state in writing the reasons for requesting the review. The designated reviewing officer will review the investigation report and determine whether, in part or in full, to affirm it or require further investigation. The reviewing officer shall formally notify all parties of the disposition of the appeal.

8. Notification of disciplinary action.

In all cases when the accused is found to have sexually harassed the complainant, the complainant wil be notified of the disciplinary actions meted out to the accused.

To the extent possible, the investigation will remain confidential.

Any person who is uncomfortable using the procedures described above is encouraged to report a complaint to any of the offices listed under university resources or contact the office of the affirmative action officer.

V. University Resources

The following university resources are available to all members of the university community who seek information and counseling about university pol'cies on sexual harassment, standards of behavior, informal and formal mechanisms for resolving complaints. As stated previously, the affirmative action officer must be contacted before any investigation commences.

The university resources include, but are not limited to the following:

Office	Location	Phone
Affirmative Action Officer		
Director of Human Resources		
Provost and Vice President for Academic Affairs		
Vice President for Finance and Administration		
Vice President for Student Affairs		
Vice President for University Advancement		
Dean, Arts and Sciences		
Dean, Education		
Dean, Human and Social Sciences		
Dean, Science and Mathematics		
Dean, Graduate Studies and Extended Programs		
Chairperson, Commission on the Status of Women		

Additional resources include the following:

- Equal Employment Opportunity Commission;
- Office of the Chancellor;
- Pennsylvania Bureau of Civil Rights;
- Pennsylvania Human Relations Commission;
- State and local law enforcement agencies;
- State Employees Assistance Program.

VI. General Information

Any person receiving a complaint from any member of the university community must immediately forward a report of the matter to the affirmative action officer. Such reports should contain the following information:

- Names of the people involved;
- Description of the complaint;
- School or administrative unit in which the complainant and respondent work; and
- Status of complaint.

All the information in such a report must be kept confidential.

The affirmative action officer shall submit an annual summary report of the number and type of formal and informal investigations into charges of sexual harassment to the president.

Sexual harassment is a serious matter which can have far-reaching effects on the careers and lives of individuals. Therefore false or malicious accusations may result in disciplinary action.

A charge of sexual harassment is not to be taken lightly by a complainant, a respondent, or any other member of the university community.

Any member of the university community who attempts to interfere with, restrain, coerce, discriminate against, or harass (overtly or covertly) any individual responsibly pursuing a complaint of sexual harassment will be subject to prompt and appropriate disciplinary action.

VII. Education and Prevention

The prevention of sexual harassment and the establishment of effective procedures with due concern for all parties requires a comprehensive educational plan. The university will provide information concerning 1) definitions of harassment, 2) examples of incidents of harassment, 3) sources of support and information for complainants and respondents to the charge of harassment, and 4) mediation and resolution resources available. Deans, directors, department chairs, and administrative heads will be required to discuss this policy and issues of harassment during meetings of faculty and staff.

Faculty/staff who serve in an advisory capacity to students will receive training about referrals, resources, and methods for handling instances of harassment. The office of affirmative action, office of human resource management, and the commission on the status of women will assist in the development of such training programs.

An overall educational program for students dealing with issues of peer harassment which provides information, definition, and behavioral alternatives will be developed.

The university will publish the operative portions of this policy statement annually and will include the resources available to advise, counsel, and assist in the mediation of harassment allegations. The information will explain how and where to contact university-wide resources and will be posted in conspicuous locations.

VIII. Implementation

The office of the president and the vice presidents of the university will be responsible for the implementation of this policy.

Appendix K: Gender Equity in Sports

Pennsylvania State Athletic Conference (PSAC) Guidelines

The Equity Plan affirms the priority of sports gender equity and adopts as the basic guidelines for System universities the following proposals which were established for member institutions by the Board of Directors of the Pennsylvania State Athletic Conference (PSAC) at the Conference's November 1993 meeting:

- That, effective 1994-95, a women's soccer championship be established;
- That the Conference reduce its individual men's basketball awards to 20 in order to be comparable to the women's awards;
- That female student-athletes be actively recruited for participation in intercollegiate athletics;
- That each member institution periodically survey its student body to ascertain whether or not its intercollegiate, club, and intramural programs are accommodating its students' needs;
- That each member institution sponsor additional women's sports if sufficient interest exists on its campus;
- That each member institution allocate an equitable percentage of its recruitment monies to women's athletics to assist achievement of proportional participation rates by women athletes;
- That the minimum standard for scholarship allocation at each member institution be the existing participation rates until the goals of proportionality are achieved;
- That women's athletics programs be provided with adequate coaching staffs (i.e., staffs that ensure appropriate coach and athlete ratios, number of full-time head coaches that is proportional to men's programs, etc.);
- That women applicants be more aggressively recruited for coaching positions. In addition, that women be actively recruited or placed in women's coaching positions when the opportunity arises. Furthermore, that women coaches be given equal consideration when a coach is appointed for a combined position;
- That presidents make appointments that provide gender balance in leadership positions in intercollegiate athletics;
- That Article XIII of the Constitution be revised to include the following statement: "When both the Board of Directors' and Commissioner's positions on a standing committee are filled by men, the unallocated position be filled by a woman;"
- That each campus monitor the salaries of all coaches and athletics administrators to insure that a supporting rationale for these salaries exists;
- That the university and the Conference sports information directors increase efforts to promote women's athletics;
- That the Conference develop and endorse a philosophical statement that reflects its commitment to gender equity and include it in its current mission statement;
- That member institutions begin immediately to develop plans for achieving gender equity on their respective campuses;
- That a common financial accounting process be developed within the Conference to acquire data necessary to effectively accomplish gender equity;
- That the Commissioner provide the Board of Directors with an annual Gender Equity Report. This report will include the annual reports submitted to the Conference by each member institution and will reflect Conference progress toward gender equity on individual campuses;
- That a study be initiated to determine the means by which the Conference and its member institutions will be responsive to social equity issues.

Recommendations of Ways to Reduce Litigation Risks

The Association of Governing Boards of Colleges and Universities in conjunction with the United Educators Insurance Risk Retention Group has outlined the following as steps which institutions should consider taking to reduce their litigation risk under recent court decisions:

1. Make a careful Title IX assessment before eliminating any women's intercollegiate team, making any other reduction in your women's program, or adding any men's team.
2. If you make any reduction in your men's or women's program, give adequate notice of the change and consider taking steps to mitigate the impact of the change on those affected.
3. Make sure that institutional personnel responsible for deciding what sports programs are to be offered are well acquainted with the current Title IX standards governing such decisions, including the interpretation of the three-part test adopted in recent court decisions.
4. Review existing procedures for evaluating and acting on requests that new intercollegiate teams be established, and adopt whatever changes are necessary to ensure that an appropriate process is in place, and that the process is perceived to be reasonable and fair.
5. Review the criteria being applied in deciding whether to add or drop intercollegiate teams, and see that they are appropriate and consistent with Title IX.
6. In accordance with those procedures and criteria, carefully evaluate, and take appropriate action with respect to any request by a women's club team or other group of female athletes for the creation of a varsity team.
7. With the assistance of counsel, decide whether in the circumstances of your institution, it is advisable to conduct a self-assessment of compliance with the participation opportunities requirements of Title IX, or a broader

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Title IX self-assessment. If you undertake such an assessment, be prepared to make changes in your program if you find that changes are necessary.

8. If you conduct a self-assessment, prepare as part of the assessment (a) a complete history of the development of your men's and women's intercollegiate sports programs, including a chronology of the addition and dropping of teams and of the numbers of participants of each sex and (b) a comprehensive appraisal of the athletic interests and abilities of your students of each sex, based on an examination of survey results, past requests for teams, admission and registration data, participation levels in club and intramural sports, high school sports offered and high school participation levels in the areas from which you draw your students, and all other available information.
9. Consider making the Title IX assessment a regular part of your institutional planning process.
10. With the assistance of counsel, determine whether your existing intercollegiate athletics program satisfies the OCR three-part participation opportunities test. If you conclude that it does not, evaluate whether, in the circumstances of your institution, including your male and female students' athletic interests and abilities and the history of the development of your women's program, compliance can best be achieved by:
    - satisfying the substantial proportionality to enrollment test by adding women's teams, eliminating men's teams, regulating squad sizes, or some combination of these steps;
    - maintaining a continuing practice of program expansion by adding one or more women's teams; or
    - establishing a women's program that effectively accommodates your female students' athletics interests and abilities, in accordance with the meaning of this test as determined by ongoing development of the law.
11. Recognize that budget pressures, differences in revenue production, and other financial considerations do not override an institution's Title IX obligations.
12. Review existing grievance procedures and see that procedures are in place that will ensure that perceived gender equity problems in your intercollegiate sports program are brought forward and resolved.

Appendix L: Information Resources and Promising Practices/Tips for Complying with the Americans with Disabilities Act (ADA)

Organizations

- **The ADA Communication Accommodation Project.** A Justice Department service which will answer questions on auxiliary aids and services for the hearing and vision impaired. *800 Florida Ave. NE. Washington, DC 20002. Phone 202-223-0101 or 202-651-5343.*

- **The Architectural and Transportation Barriers Compliance Board.** Provides information on structural accessibility. *Logan Bldg., 1111 18th St. NW. Washington, DC 20036. Phone 202-653-7834 or 800-USA-ABLE.*

- **The Electronic Industries Foundation.** Offers free ADA-related training, including accommodation methods, to employers and has a job placement service for people with disabilities. *919 18th St. NW, Suite 900, Washington, DC 20006. Phone 202-955-5836.*

- **Human Resource Management Services.** Offers Job Scribe, a PC-based product with over 1,400 job descriptions to define a job's "essential functions." *9240 N. Meridian St., Indianapolis, IN 46260. Phone 317-571-4230.*

- **The Job Accommodation Network.** Provides free information on accommodations other employers have used for specific disabilities. *West Virginia University, 809 Allen Hall, PO Box 6123, Morgantown, WV 26506. Phone 800-526-7234.*

- **The National Easter Seal Society** Has a free ADA resources catalogue listing brochures, posters, and videotapes. *70 East Lake St., Chicago, IL 60601.*

Publications

- Duston, Robert L.; Russell, Karen S.; and Kerr, Lynn E. *ADA Compliance Manual for Higher Education: A Guide to Title I.* Washington, D.C.: College and University Personnel Association, 1992.

- Shepard, Ira Michael; Duston, Robert L.; Russell, Karen S.; and Kerr, Lynn E. *ADA Audit, Transition Plan, and Policy Statement for Higher Education: Manual and Workbook.* Salisbury, MD: American Association of Community Colleges, 1992.

Promising Practices/Tips

- Make certain that all staff know the requirements and the spirit of ADA, as well as your efforts to comply with the law.
- With the frequent turnover rate of "frontline" staff, it can be helpful to provide ongoing training in ADA matters for all personnel.
- Personnel should be aware that some people with disabilities (such as people with speech impediments), may require additional time to conduct their business even if no additional assistance or auxiliary aids are necessary.
- When speaking with a person who is in a wheelchair or uses a walker, position yourself at eye level. Avoid unnecessary touching of the wheelchair as it is considered a part of the individual's body space.
- For one-on-one communication with a deaf or hard of hearing person, ask in writing what method of communication works best. Be prepared in

advance to offer the services of an interpreter. When speaking, do not exaggerate your voice or mouth, but speak clearly and at a moderate pace. Look directly at the person, not at an interpreter or at their back or side.

- Offer a chair to a person with a disability who may be waiting in a long line.
- Always speak directly to a visually impaired person and not to any companion.
- Do not presume that a person with a disability will be unable to accomplish the requirements for graduation established by your college or university. There are many qualified persons with disabilities who, with or without reasonable accommodations, are very successful in academic pursuits.
- If your health services department offers routine screenings for students, these must be offered and adapted (as needed) for students with disabilities.
- Students with emotional disabilities are protected against discrimination under the ADA if they are "otherwise qualified." If counseling services are offered free of charge or at a nominal cost, the same standards must apply for students with serious emotional problems. However, students who pose an imminent danger to themselves or others are not protected by the ADA.
- You cannot discriminate against a student who has a history of a disability (e.g., cancer, paralysis) but is not currently disabled. For example, a person with a history of cancer cannot be prevented from participating in active sports if there is no medical reason for the prohibition.
- Individuals who are blind or visually impaired may not be able to tell when a staff person is available. To overcome this problem, personnel could be instructed to politely speak out (for example, by calling "may I help you") when they are available if it appears that the person waiting cannot see.
- Qualified interpreters or other effective methods of making aurally delivered materials available to individuals who are deaf or hard of hearing must be provided under ADA.
- It is not unreasonable to require students to provide advance notice that they need an interpreter for administrative services such as financial aid and registration.
- Advertise in local papers for persons with disabilities to advise them about your accessibility efforts, a new TDD number, and other steps you have to take to comply with the ADA. You may also want to advertise for local residents with disabilities or groups who can often advise on accessibility-related issues.
- Modifications to traditional standardized tests are made for qualified applicants with disabilities. Often an applicant will take an untimed SAT or receive additional time to complete the SATs (or ACT, if that test is required by the college). This only serves to accommodate their disability and does not provide an unfair advantage over non-disabled applicants.
- Written essays may present an impediment to a person who has a severe learning disability. An oral presentation may be a good accommodation for such a person.
- In reviewing your policies, practices and materials, keep in mind the need for an accessible location for your various programs. If you offer a recruitment session on campus, be sure you have considered the needs of students with hearing or visual impairments, as well as planning for wheelchair access. You may need to offer your printed materials in an accessible format, or hire a sign language interpreter for the session.
- Recruitment sessions must be accessible to persons with disabilities. This can be achieved by always scheduling sessions in accessible locations, or relocating sessions to an accessible area when necessary. If structural accessibility is not possible, consider offering a videotape presentation of your programs and services for students who are mobility impaired.
- Recruitment sessions must be accessible to deaf or hard of hearing individuals. Installing assistive listening devices in conference rooms is one approach to providing accessibility. If an individual is a lip-reader, be sure to speak directly to the person and keep the lighting bright. For some individuals, it may be necessary to provide a sign language interpreter.
- It would violate the ADA to prohibit an individual with a disability from bringing a service dog to a recruitment or any college-sponsored event.
- Temporary ramps, provided they meet safety standards, can be used to make a building or facility accessible for a recruitment program.
- An alternative method of achieving compliance is to meet with prospective students who have a disability individually, apart from group sessions, in an accessible location.
- Remember, too, that your obligation to comply with the ADA extends beyond disabled students. For example, you may have to accommodate a mother with a disability of a prospective student who wants to attend a recruitment session with her child, particularly if other parents are afforded the opportunity to attend with their children.
- It helps to assign one person as responsible for registering students with a disability who have special needs (e.g., all accessible buildings and classrooms). This can be done in advance of formal registration or at another location that is accessible.
- Maintaining a list of students who need special assistance, along with the types of accommodations they may need, can speed up the registration process.
- Keeping copies of standard materials in braille or on tape may also help in the registration process.
- Housing choices should be comparable, convenient, and accessible to

students with a disability. The scope of living accommodations (e.g., dorm rooms, student apartments, group houses) must be available to students with a disability. Universities must remember that they cannot charge a student with a disability more for an accessible room than is charged for a standard room of the same type to a student without a disability.

- If the only accessible housing available is in a more expensive on-campus apartment, it may violate the ADA to charge a student with a disability more to live there if he or she wanted to live in a less expensive dorm room.
- Many individuals with disabilities may not require placement in your accessible rooms. The ADA prohibits you from requiring all students with disabilities to reside in accessible rooms, unless there are sound safety reasons for doing so on an individual basis.
- Students with disabilities like to feel part of the mainstream of college or university life and the ADA requires you to provide services in the most integrated setting feasible. When reviewing the ADAAG standards for accessible housing bear in mind that accessible rooms should be dispersed throughout, rather than isolated from, general housing.
- All new construction and renovation of student housing must be built to be accessible according to the ADAAG or UFAS standards (public universities can choose to follow either standard).
- Colleges and universities do not have to provide personal services for students with a disability, such as helping with toileting, dressing, or eating.
- For certain patrons (e.g., those with impairments) it may be necessary for a food server to answer questions about prices, total bill, and change returned.
- Counters can present an obstacle to individuals in wheelchairs, as they are often too high for a person to reach or to speak with a staff person. They may also create a barrier for a hearing-impaired individual if they are partially enclosed by glass or plastic (this makes it difficult to read lips or use residual hearing). Lowering one or more counters or redesigning the window front are possible solutions to overcoming these barriers.
- If structural barriers exist in the registration, financial aid, or other administrative process, consider alternative methods for providing program accessibility. For example, if a counter is too high, consider having a staff member come around front to help a student in a wheelchair, or offer additional registration in a separate, accessible location.
- Remove obstacles in the path of travel, if this is readily achievable. Simple examples include relocating trash cans and ashtrays. More difficult obstacles may include steps within an area leading from the lobby to an office. This also will work toward providing program accessibility.
- Survey key offices (such as deans, registrar, financial aid) to determine how the layout of desks, equipment and quality of lighting could be modified to improve the physical and communications accessibility of the services offered there.

Appendix M: Minority Business and Women Business Enterprise Participation in Facilities Projects

I. Scope

This program is derived from the State System of Higher Education Board of Governors Draft Regulation Minority Business and Women Business Enterprise Participation in Facilities Projects, Title 22, 507.20, and is applicable to all contracts to be administered by the State System of Higher Education for maintenance, repair, alteration, or improvements to existing and/or construction of new facilities.

II. Definitions

The words or terms listed below shall be defined as stated when used in these regulations unless the text clearly indicates otherwise:

Alteration: Modifications made to a facility to change the physical structure or environment of the spaces within the facility.

Award: The issuance of a contract to the bidder or firm that submitted the lowest responsive responsible bid that has been determined to be in conformance with the advertised specifications and bidding requirements.

Certified MBE/WBE: Written designation given to a business enterprise by a duly constituted public body that attests that the business enterprise has submitted evidence of satisfying the minimum criteria established by that body for recognition of ownership by an individual or group of individuals recognized as a minority due to race or gender.

Commitment: A conditional written promise that a written quote given at the time of bid will be honored at the amount quoted or in a lesser amount, if acceptable by mutual negotiations, for the scope of work and/or materials specified. The bidder is obligated to make an award in the amount quoted to the firm submitting the lowest quote, only to the extent that there is an agreement as to the scope of work and/or materials specified at the time of bid.

Construction: The erection of an addition or improvement to an existing facility or a new building or structure or creation of new building space or a structure using component or pre-assembled building materials.

Facility: Any building, structure, infrastructure, utility or improvement placed or naturally occurring in or above the real estate (land) at a State System university, branch campus, or environmental center.

Facilities Contract: Written, legally binding agreements between a contractor and the State System of Higher Education for maintenance, repair, alteration, improvement, or new construction work for facilities managed by the State System of Higher Education.

Improvement: The addition of a facility amenity, such as installation of central air conditioning, that was not part of the structure when originally constructed.

Maintenance: The minor work performed routinely on a facility to prevent premature failure of the components used to construct the facility and/or the return of failed components to useful service without complete repair or replacement of the component or a major portion thereof.

Non-minority: An individual or firm that has not been certified as a minority business or women business enterprise by a duly constituted public body.

Notice-to-Proceed (NTP): Written direction given to the responsible firm that has submitted the lowest responsive bid to whom the contract has been awarded and approvals obtained from all required parties such that work on the contract may commence with work to be completed within the number of days specified in the contract documents.

Proactive Solicitations: Aggressive effort taken by the bidder to obtain written quotes for subcontracts and/or material purchases from certified MBE/WBE firms to submit with his/her bid so as to reach or exceed the reasonable effort award amount established for the contract without discrimination against any individual or business due to race or gender. The bidder is prohibited from submitting a quote for the scope of work for which he/she obtains quotes from certified MBE/WBE firms.

Professional Agreement: Written, legally binding instrument between a professional architectural or engineering firm to prepare plans, specifications, and bidding documents for maintenance, repair, alteration, improvement, or new construction of System facilities.

Reasonable Effort Award Amount: That amount of the work for which bids or quotes can reasonably be expected to be obtained from certified MBE/WBE firms based on the scope of work of the project and current demographics concerning available qualified MBE/WBE subcontractors, suppliers, and vendors. The State System of Higher Education has the exclusive and sole right to establish this amount for any and all contracts it bids.

Repair: Restoration or replacement of major building systems or components used in construction of the entire facility that fail or wear out before the entire facility, such as roofing systems, heating, ventilation, or air conditioning systems, etc.

System: Shortened name used in these regulations for the State System of Higher Education, which was created and regulated by Act 188 of 1982, and amendments thereto.

III. Proactive Effort Policy

Certified Minority Business and Women Business Enterprises shall be solicited proactively and encouraged to submit competitive written bids or quotes for System facilities projects by the System and the prime contractors submitting bids for System facilities projects for portions of the work, and, depending on written bids received, contracts or subcontracts awarded for the work, if determined to be the firm submitting the lowest responsive responsible bid or quote. System procurement officers shall proactively solicit bids directly from certified MBE/WBE firms as prime contractors.

Each non-minority bidder must proactively solicit participation by certified Minority Business Enterprise and Women Business Enterprise (MBE/WBE) subcontractors and suppliers, when specified. All bidders are further required to document such proactive effort by completion and submission of the MBE/WBE Subcontractor and Supplier Solicitation Information Sheet shown in Exhibit A.

Minority Business and Women Business Enterprises are encouraged to submit bid proposals directly for System facilities projects, to act as prime contractors. As MBE/WBE firms, they are not required to provide any documentation regarding proactive solicitation. However, when submitting the Bid Proposal, all MBE/WBE firms must indicate on the Solicitation Information Sheet (Exhibit A) that they are Certified MBE/WBE firms, and record their Certification Number on the place indicated.

It is important to note that the MBE/WBE provisions of these regulations are unique to State System of Higher Education contracts. It is expected that responsive responsible bidders must proactively make a reasonable effort, as defined in Section IV-Reasonable Participation, to seek and incorporate a reasonable proportion of participation of certified minority and women business enterprises in each facilities project.

IV. Reasonable Participation

At a minimum, a reasonable effort by bidders for certified MBE/WBE participation in this project is proactive solicitation such that award of subcontracts or purchases totalling $ (specified amount) (reasonable effort award amount) could be made to contractors, subcontractors, suppliers, or vendors who have been certified as valid MBE/WBE entities. This reasonable effort award amount serves exclusively as a threshold in determining bidder responsiveness.

A. If the bidder makes commitments to certified MBE/WBE firms at or above the reasonable effort award amount at the time of receipt of bids, the bidder will be considered to have met the minority participation requirements for the project.

B. When the reasonable effort award amount clearly has not been attained, as is evident from the commitments

made to subcontractors or vendors based on their quotes submitted at the time of receipts of bids, in order to avoid rejection as non-responsive, the bidder's evidence of proactive solicitation on the MBE/WBE Subcontractor and Supplier Solicitation Information Sheet must show that the reasonable effort awards in that amount could have been made because the bidder proactively solicited for sufficient different types of subcontracts or material purchases from certified MBE/WBE firms to reach the reasonable effort award amount but:

1. written quotes were not received from certified MBE/WBE or non-minority firms that equal or exceed the reasonable award amount, but a proactive effort was demonstrated to have been made to obtain certified MBE/WBE participation;
2. did not receive written quotes from certified MBE/WBE firms, **but did receive written quotes from non-minority firms that did equal or exceed the reasonable effort award amount**, and commitments were made to those non-minority firms submitting the lowest quotes; or
3. written quotes were received from certified MBE/WBE firms at or above the reasonable award amount, **but lower written quotes were received from non-minority firms**, and commitments were made to at least one non-minority firm which submitted the lowest written quote at the time of receipt of bids for the same work or materials.

V. Responsiveness

Bidders must show proof of their proactive solicitation efforts by submitting:

A. At the time of receipts of bids, provide a completed MBE/WBE Subcontractor and Supplier Solicitation Information Sheet (Exhibit A).

B. Prior to the time of and at the place designated for the bid opening, the bidder shall provide copies of the following:
   1. the written solicitations to MBE/WBE firms,
   2. all solicited and unsolicited written quotes received from certified MBE/WBE firms,
   3. written quotes from all non-minority firms that are lower than the lowest quote received from a certified MBE/WBE firm, when award is to be made to other than the certified MBE/WBE firm submitting the lowest quote,
   4. letters of commitment to the certified MBE/WBE or non-minority firm submitting the lowest written quotes,
   5. explanatory information required, as specified below, when commitments cannot be made to certified MBE/WBE firms in the reasonable effort award amount.
      a. List by type of work the certified MBE/WBE firms solicited, and the type of work or materials for which solicitations were not made and the reasons why.
      b. State why written commitments were not made for the lowest certified MBE/WBE written quotes received.
      c. State reasons, if known, why written quotes were not received from solicited firms, or why unsolicited written quotes were not accepted and commitments made.

Failure to submit the required information as shown on the Solicitation Information Sheet (Exhibit A) related to MBE/WBE solicitation, quotes, and commitments is sufficient cause for rejection of the bidder's bid as non-responsive. Failure to submit all solicited and/or unsolicited quotes shall also be sufficient cause for rejection of the bidder's bid as non-responsive.

Mailings to large numbers of certified MBEs and WBEs which are intended to provide notice of a contractor's interest in bidding a construction project will not be deemed solicitation, but rather will be treated as informational notification only. The bidder must contact the certified MBE/WBE firms directly and request written quotes for the work or materials the firm plans to subcontract or purchase to satisfy the reasonable effort award amount.

Bidders should only list solicitations (on Exhibit A) made to certified MBE/WBE subcontractors, manufacturers, or suppliers whose work, materials, or supplies are within the project scope and are related to the project or portions thereof, and which a reasonable and prudent bidder would purchase or subcontract for the project. Bidders must show that the MBE/WBE firms solicited are certified MBE/WBE contractors, suppliers, or vendors as identified below in the Section VII. MBE/WBE Certification.

Suppliers who commonly and ordinarily stock materials customarily found in the industry and are certified as MBE/WBE firms are considered as full participators in the System's program. Suppliers who do not stock materials, as is common and ordinarily the custom in the industry and a part of the industry's trade practice, but have been certified as a supplier for a particular product or products as a certified MBE/WBE firm by a duly constituted public body, are considered as full participants in the System's program.

Bidders who cannot clearly demonstrate that written commitments have been made that equal or exceed the reasonable effort award amount at the time of receipt of bids must submit, at anytime prior to the time of and at the

place designated for the bid opening, an explanation of why such commitments could not be made. The explanation should indicate the proactive efforts taken to solicit participation and demonstrate that the bidder did not engage in discriminatory practices in solicitation and commitment of subcontracts and/or supply contracts.

VI. Determination of Responsiveness

Failure to submit the documentation, as required in Section V, Responsiveness, shall result in a finding of non-responsive and the bid will be rejected.

The procurement office issuing the contract will review the documentation submitted and perform evaluations which will determine whether or not proactive solicitation and subsequent commitments were not made which total the reasonable effort award amount, or for which acceptable reasonable explanations were not provided, and will result in a finding of non-responsiveness to the bidding criteria and will result in rejection of the bid.

Evaluations will include review of the documentation for meeting the following standards:

1. The bidder showed proactive effort by soliciting and documenting the required quotes from certified MBE/WBE firms to demonstrate that the reasonable effort award amount was, or could have been achieved. The proactive solicitation effort by the bidder must provide sufficient time for the MBE/WBE firm to properly formulate a response.
2. The bidder documented solicitation of a varied selection of MBE/WBE firms which appear to be categorized as performing the required subcontracting effort.
3. Based on items one and two above, the bidder may be found to have shown a proactive effort regarding MBE/WBE firms as required under this policy.

If accepted by the certified MBE/WBE firm, commitments made at the time of receipt of bids must be maintained throughout the term of the contract, unless a change in commitment to these firms is pre-approved by the System.

VII. MBE/WBE Certification

Certification as a bona fide minority– or women-owned business enterprise must be made within statutory requirements set forth in the Act of December 21, 1984, No. 230, P.L. 210, 18 Pa. CSA, Section 4107.2 by any duly constituted public body. Certification of an entity as an MBE/WBE means only that the applicant has submitted information that qualifies it as an MBE/WBE in terms of its ownership and control. Certification does not address the ability of the MBE/WBE to perform the required services.

The Pennsylvania Office of Minority and Women Business Enterprise, 400 North Office Building, Harrisburg, PA 17125, (717) 787-7380/FAX (717) 783-6241, and other local minority business affairs offices may be contacted to validate certification or to provide information regarding certified MBE/WBE entities. Information regarding certified Minority and Women Business Enterprises by the Commonwealth may also be obtained from the Commonwealth of Pennsylvania's Minority and Women Business Enterprise Construction Directory, available from the State Bookstore, (717) 787-5109.

VIII. Contractual Obligations

The proposal of the lowest conforming bidder, including the completed MBE/WBE Subcontractor and Supplier Solicitation Information Sheet and accompanying documents regarding solicitation and commitments to certified MBE/WBE firms, shall be considered as incorporated in and become contractual obligations under the terms and conditions of the contract awarded to the lowest responsive, responsible prime contractor.

The System will send copies of the successful contractor's Award letter to those certified MBE/WBE or non-minority firms who presented the lowest written quotes and received commitments from the successful contractor at the time of receipt of bids. This will serve as notice to the certified MBE/WBE or non-minority firms to anticipate contract awards upon Notice to Proceed to the successful contractor.

After receipt of Notice to Proceed with the contract, the contractor must offer contracts at no less than the amount stated in the written quote (unless mutually agreed upon) to the firm presenting the lowest written quote at the time of receipt of bids.

If the certified MBE/WBE or non-minority firm which made the lowest written quote rejects the offer, award may be made to any other qualified subcontractor or vendor, at a price lower than the next lowest written quote received for the same work at the time of receipt of bids, without penalty of invalidating the contractor's MBE/WBE participation. Otherwise, award must be offered to the firm which presented the next lowest written quote for the same work at the time of receipt of bids.

Failure to offer and, if accepted, award such work to a lower qualified or any successive low bidder constitutes a potential breach of the System's MBE/WBE program, and the contract may be terminated. The successful contractor's contract price will not be adjusted in any circumstance to accommodate rejected offers or commitments made to subcontractors, vendors, or suppliers to satisfy the MBE/WBE provisions.

IX. Rejection of Bids

Failure to complete and submit the MBE/WBE Subcontractor and Supplier Solicitation Information Sheet (Exhibit A) and provide the accompanying documentation regarding solicitations, quotes, and commitments will be sufficient cause for rejection of a bid as being non-responsive to the requirement of taking proactive efforts to involve certified MBE/WBE firms in the project.

STATE SYSTEM OF HIGHER EDUCATION
MBE/WBE SUBCONTRACTOR AND SUPPLIER SOLICITATION INFORMATION SHEET

Exhibit A

1) Company Name: _____

Address: _____

Telephone: ( ) _____

Important Note: Failure to complete this Sheet and submit it with the bid opening date will be sufficient cause for rejection of the bid as non-responsive.

2) Contract Number: _____

Project Name: _____

ALL FIRMS SOLICITED OR WHICH HAVE PROVIDED UNSOLICITED QUOTES MUST BE INCLUDED ON THIS FORM.

3) Company Name, Address, Zip Code, Tel. No. with Area Code and Contact Person's Name	4) Certif Number MBE/WBE	5) Type of Work to be Performed and/or Material to be Supplied	6) Contact Date	7) Estimated Value ($000)	Rec. Y/N	8) Quotes Amt. ($000)	Attch. Y/N	9) Commitment Made Y/N	Attch. Y/N

Information regarding certified Minority and Women Business Enterprise (MBE/WBE) may be obtained from the Commonwealth of Pennsylvania Minority and Women Business Enterprises Construction Directory, available from the State Book Store (717) 787-5109.

Appendix N: Assessing Campus Climate

The following recommendations are presented for the consideration of each respective president and his/her executive staff:

Recommendation 1: Each State System university should plan an assessment of its own campus climate that is appropriate to its institutional mission and values.

Recommendation 2: Each university should develop an inclusive assessment process, with clearly stated and agreed-upon objectives.

Recommendation 3: Each university should develop an assessment that is comprehensive and inclusive with respect to the many factors that comprise its campus climate. Some of the factors that should be considered are curriculum content and pedagogical approaches, faculty composition and philosophy, student-faculty interaction, academic support service availability, student life, interactions among students, campus image, student expectation of the campus prior to enrollment, campus leaders' philosophy and implementing practices, and campus-local community interaction.

Recommendation 4: Each university should include in its assessment the experiences of students, faculty, staff, and administrators.

Recommendation 5: Each university should develop an assessment approach that will provide comprehensive information on its campus climate.

Among the methodologies that a campus should consider in building its assessment system are survey research, interviews in groups or individual settings, forum discussions, exit interviews, and participant-observer analyses.

Recommendation 6: Each university should conduct an assessment of its campus climate on a periodic, cyclical, and longitudinal basis.

Recommendation 7: Information from the assessment should be analyzed to determine the extent to which progress has been made in developing an equitable and high quality educational environment.[52]

As noted above, there is no one ideal or correct method to assessing campus climate. Rather, System universities should make decisions about the assessment of their campus climate based upon institutional prerogatives and cost considerations.

Committees

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Byron A. Wiley (Chair)
System Director of Social Equity
Office of the Chancellor

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Vice President for Student Affairs
Cheyney University of Pennsylvania

Nicole Austin
(representing Vincent J. Hughes, Chair, Pennsylvania Legislative Black Caucus)

Caryn J. Carr
Head, Reader Services
Stevenson Library
Lock Haven University of Pennsylvania

Stanley E. Carr
Assistant Vice Chancellor for Employee and Labor Relations
Office of the Chancellor

Charles C. Clevenger
Executive Dean
Dixon University Center

Lawrence A. Dowdy
Executive Assistant to the President
West Chester University of Pennsylvania

Charles D. Foust
Provost and Vice President for Academic Affairs
Slippery Rock University of Pennsylvania

Diane L. Reinhard
President
Clarion University of Pennsylvania

Robert P. Ruffin
Associate Vice President for Human Resources and Affirmative Action
Edinboro University of Pennsylvania

Deborah A. Sieger
President, Pennsylvania State System of Higher Education Women's Consortium
Kutztown University of Pennsylvania

Sol B. Vázquez Otero
Equity Programs Coordinator
Office of the Chancellor

Lois A. Waters
Director of Social Equity
Shippensburg University of Pennsylvania

Economic Opportunity Committee

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Wayne M. Richardson, Chief Legal Counsel
Mary Ellen Wiedeman, Social Equity Staff Assistant

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Endnotes

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